

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Jan Brown, on February 17, 1989, at  
8:00 a.m.

#### ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Judy Burggraff, Secretary; Lois Menzies, Staff  
Researcher

Announcements/Discussion:

#### HEARING ON HJR 28

Presentation and Opening Statement by Sponsor: Rep. Jessica Stickney, House District 26, Miles City, introduced the resolution. The preamble of this resolution states that less than one-fourth of the appointed boards, commissions, committees and councils in the state are gender-balanced. This bill urges that these entities be gender-balanced.

Rep. Stickney said that advisory boards play a great role within government to establish priorities for the spending of public money, they generate ideas for the administration of public policy and they greatly influence social, educational, environmental and economic conditions. There are about 130 appointed boards and commissions within state government with a total of approximately 1,044 persons serving on them. Of this total, only 228 are women, about 21 percent. Only 22 boards or commissions come even close to being gender-balanced. There are only two boards that have only women on them. The Fish and Game Commissions, the Board of Pardons, the Board of Labor Appeals, the Board of Athletics, the executive committees for the University of Montana and Eastern Montana College, the Youth and Justice Council, the State Banking Board and 31 other boards and commissions do not have any women on them. Forty-four other boards and commissions only have one woman member. These numbers are vastly disproportionate to the numbers of women who are involved. This resolution provides no quotas and no special treatment. It asks only for equality and equity. Public policy boards whose decisions affect all Montanans must be representative of all Montanans.

Testifying Proponents and Who They Represent:

Margaret Davis, League of Women Voters

Jeanne Doney, Interdepartmental Coordinating Committee for Women

Don Judge, Montana State AFL-CIO

Proponent Testimony:

MARGARET DAVIS presented written testimony (Exhibit 1).

JEANNE DONEY said the Interdepartmental Coordinating Committee for Women supports HJR 28. Ms. Doney said that she had heard that the higher positions in state government are not staffed by more women because there are not enough adequately qualified women. Balancing the boards, she said, is going to create a pool of very visible and qualified women to fill some of the higher positions in state government.

DON JUDGE said he represents the Montana State AFL-CIO. Mr. Judge said the AFL-CIO has policies at both the state and national levels that request that all boards, commissions and employment practices be gender-free. He also said, "We support this effort to provide women their rightful place. Women represent about 52 percent of Montana voters, and we think they ought to be somewhere on the boards."

Testifying Opponents and Who They Represent: NoneQuestions From Committee Members: None

Closing by Sponsor: Rep. Stickney said she feels that we have a very proud state with a wonderful Constitution that provides equal protection under the laws regardless of gender.

## DISPOSITION OF HJR 28

Motion: Rep. Davis moved HJR 28 DO PASS.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED 10 - 6, with Reps. DeBruycker, Hayne, Roth, Campbell, Nelson and Phillips voting no.

## HEARING ON HB 730

Presentation and Opening Statement by Sponsor: Rep. Gary Spaeth, House District 84, introduced the bill. This bill requires

the Secretary of State to compile and maintain a list of all registered voters in the state using lists submitted by the county election administrators. The Secretary of State may sell a copy of the list or mailing labels to any elector for noncommercial use. The bill also requires the Secretary of State, rather than the county election administrator, to mail the voter information pamphlet for ballot issues to each registered voter in the state.

Rep. Spaeth said that this would put the voter information pamphlets all in one location, enabling them to be sent out from one office, which should result in cost savings.

Testifying Proponents and Who They Represent:

Garth Jacobson, Secretary of State's Office

Sue Bartlett, Lewis & Clark County Clerk and Recorder,  
Association of County Clerk and Recorders

Gail M. Stoltz, Montana Democratic Party

Don Judge, Montana State AFL-CIO

Proponent Testimony:

GARTH JACOBSON presented written testimony (Exhibit 2).

SUE BARTLETT, representing the Association of County Clerk and Recorders, said they support the concepts in the bill. The clerk and recorders have some reservations about the rule-making authority for the Secretary of State and a couple of housekeeping type of changes they would like to see made. Ms. Bartlett said, "Because this bill has come before the Committee this late, and it is in the first half of the session, we have an agreement with the Secretary of State's Office and the major proponents of this bill to work out the difficulties. Should the bill pass the House, we would approach the difficulties with amendments in the Senate. We hope the Committee would give its attention to the major intent of the bill and recognize that we believe we can resolve any problems that we have."

GAIL STOLTZ, Executive Director of the Montana Democratic Party, said that the Democratic and Republican Parties are the major users of the voter lists. Both parties call up the clerks and recorders and cause them headaches wishing to obtain the voter registration lists. Ms. Stoltz said that she believes this will remove "zillions" of phone calls to the clerk and recorders and make their life a little easier.

DON JUDGE, representing the Montana State AFL-CIO, said his concern about this legislation is pocket-book related. The Montana State AFL-CIO is solicited for funds from the candidates to purchase the lists. Currently the costs of

purchasing those lists on a statewide basis runs several thousands of dollars. They think that with the recent rush of candidates to run for statewide office, making these lists more accessible and cost effective will help the process. He encouraged the Committee to give the bill a do pass recommendation.

Testifying Opponents and Who They Represent: None

Questions From Committee Members:

REP. PHILLIPS asked how much the bill would cost. Mr. Jacobson said the costs would be setting up the computer system and inputting the registration information. He said that the bill came up so fast that the fiscal note hasn't been completed, but the Secretary of State's Office believes it would cost between \$5,000 to \$10,000 to set up the computer system and to input the data. In addition, there are approximately 336,000 voter information pamphlets that are mailed out, less the pamphlets that must be at each polling precinct (about 10,000). The pamphlets would be mailed out at a bulk mailing rate, and the cost would be somewhere between \$50,000 and \$100,000. This is a cost that is now borne by the county, so it is a shift of the cost from the county to the state.

REP. DEBRUYCKER asked to whom the mailing list would be sold. Mr. Jacobson said the mailing lists could only be sold to noncommercial entities as specified in the bill. They could not be sold to any magazine subscription dealers, etc. The proceeds of the sale could be used to defer some of the costs.

Closing by Sponsor: Rep. Spaeth said that this bill is a reversal of what the Legislature usually likes to do. It usually likes to transfer things that it does down to the cities and the counties; this is a bill in which we can transfer a task from the counties to the state. This would allow the distribution of voter information pamphlets to be done more efficiently and cost-effectively than it is now being done in the 56 counties.

#### DISPOSITION OF HB 730

Motion: Rep. Campbell moved that HB 730 DO PASS.

Discussion: REP. ROTH expressed concern that there was no fiscal note with the bill. CHAIRMAN BROWN said that the Committee has no choice but to move the bills out of Committee that day and trust that the fiscal note to be with the bill for floor action.

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED 15 - 2, with Reps. Nelson and DeBruycker voting no.

HEARING ON HB 724

Presentation and Opening Statement by Sponsor: Rep. Ben Cohen, House District 3, Whitefish, introduced the bill. Under current law, the deadline for registering to vote is 30 days before the election. This bill removes this deadline and permits a person to register on election day. In addition, a person may register to vote when applying for a driver's license. The bill also provides for the cancellation of a voter's registration if he or she has not voted in the last two presidential elections.

Testifying Proponents and Who They Represent:

C. B. Pearson, Common Cause

Joseph Moore, Legislative Coordinator, Rainbow Coalition in Montana

Don Judge, Montana State AFL-CIO

Margaret Davis, Montana League of Women Voters

Proponent Testimony:

C. B. PEARSON said this legislation is a voter registration reform bill. Mr. Pearson distributed a handout (Exhibit 3). Mr. Pearson referred to page 4 of the handout and read Article IV of the Montana Constitution. He said that at the Constitutional Convention there was a tremendous debate about whether to insert poll booth registration into the Constitution so that we could have voter registration on the same day. The argument against putting that in the Constitution was that there wasn't any need as the Legislature would see fit to do that. He said that the Legislature has had several opportunities to do this, and they have not done so. This bill is an attempt to implement that part of the Constitution.

Mr. Pearson said that there are several different types of ways in which you can have same day registration. North Dakota is the only state that does not have any voter registration. Essentially what this bill would do is to set up a Maine model. To prevent fraud, persons who were not registered could go to the county court house, register and pick up a certificate. They would then go to the polling place and vote.

Mr. Pearson called the Committee's attention to the letter from the state of Maine, which talked about the problems of fraud and participation. Maine has had same-day registration for 14 years and reported no problems and are supportive of it. They believe that it is one of the reasons that they have high voter participation.

The United States does not have the voter participation that other democracies have. When compared to other western democracies, we are the second lowest in the world and rank behind 22 other countries. In other democracies, voting is not a two-step process as it is in this country.

MIKE CRAIG, representing the Associated Students of the University of Montana, said that they have long been interested in simplifying the registration process. Mr. Craig said that they have a couple of student groups that initiate student registration drives every election year. One thing that the students find they have a real problem with is that they cannot register voters that are from another county. Many University of Montana students are state residents but not Missoula County residents so they cannot be registered to vote. By striking the language "in the county," we would be allowed to register those students. Mr. Craig distributed a handout concerning a CBS news poll newspaper article (Exhibit 4). We think that this bill would reduce the numbers of unregistered voters. Mr. Craig said that in Idaho residents may register up to five days prior to an election. In Oregon you can register up to the day before an election. In Utah you must register ten days prior to an election. The students also like the idea of being able to register to vote when they fill out an application for a driver's license. They urged support of the bill.

JOSEPH MOORE presented written testimony (Exhibit 5).

DON JUDGE presented written testimony (Exhibit 6).

MARGARET DAVIS, representing the Montana League of Women Voters, said that they have sought to open up the process of voter registration. They do not believe that it should be difficult for citizens. They look at this bill as offering a whole spectrum of possibilities for the state. Ms. Davis asked the Committee to particularly look at a uniform statewide registration form and the ability to register voters that are not residents of one county. The Montana League of Women Voters believes that "motor-voter" registration is a great start on making the process easier for all. Ms. Davis asked for the Committee's support.

KATHY BRAMER AMES said she represents the Montana Voter Participation Project, and they want to go on record as supporting HB 724. They worked to register 8,000 voters in 1988 in communities where voters were traditionally

disenfranchised, mostly native American and low-income white communities in urban areas. She said that in their experience, it takes about twice as much effort to register people and get them educated about the election process so they can cast an informed vote than if they could do this closer to election day. Ms. Ames said that they have to go through the process twice. This bill would help them get around that problem and help voter participation in the election process. Studies across the country have shown that fraud cannot be correlated with voter laws, but that it has to do with community norms. Chicago has some of the most strict voter registration laws, and they also have the highest rate of fraud.

Testifying Opponents and Who They Represent:

Judy Doggett, Broadwater County Clerk and Recorder

Betty Lund, Ravalli County Clerk and Recorder and Election Administrator

Rep. Richard Nelson, House District 6, Flathead County

Opponent Testimony:

JUDY DOGGETT, the election administrator from Broadwater County, said she has the following concerns with this bill:

1. The bill makes it appear that election day is the only day that people can register after the 20-day cutoff date. The election administrators are wondering what they should do with the people that wish to register to vote between the 20-day cutoff date and the election.

2. Ms. Doggett said that in her county anyone may be appointed a deputy registrar, but they must be trained. If they are not trained, they cannot function as a deputy registrar.

3. The driver examiners come twice a month to Broadwater County. Ms. Doggett wondered if anyone has asked them if they will want to register voters, too.

4. How will the voter registration card get to the election administrators? Will the examiner, the voter, or the department of motor vehicles deliver it? If the card is not filled out correctly, who would the election administrator go to for the correct information?

5. In some of the larger counties, there are five or six different districts. We are wondering who is going to know how these people should be registered in the special districts if a department of motor vehicle person is registering them.

6. Almost every election administrator in the state goes to the high school and registers seniors to vote. A person can register to vote in any county in which they reside. A problem arises if they want to register to vote at a university, and they are already registered to vote in another county.

7. The bill states that "the election administrator shall prepare the official precinct register 20 days before an election." Does this mean that the election administrator has to prepare the register on the 20th day? What do we do if the 20th day is a holiday or weekend? Why should we have to do it on the 20th day? We may not be ready at that particular time. We do not want to be locked into a 20-day timeframe.

8. On page 6, line 15, section 6 (2), "An individual who has registered under this section may register and vote on election day as provided in (section 1). In such case, a person's election day registration replaces any prior registration." This does not make any sense. If they are already registered, why would they come in again and register on election day.

9. We are now purging voters from the registration lists who have not voted in the last presidential election. This bill would require us to hold them for two presidential elections.

10. On page 11, lines 4 - 6, the election judges are required to "compare the answers of the elector with the entries in the precinct register or on his registration card." The election judges will not receive a registration card as it stays at the election administrator's office. What the registered voter will receive, if he registers to vote on election day, is a certificate that he takes to the precinct polling place. Then his signature on the precinct registration will be compared at the polling place.

11. Voter fraud is a concern. How will we know if this person is registered to vote elsewhere? What keeps them from registering to vote on election day in Lewis and Clark County and voting, going to Broadwater County, registering and voting, and then going to Gallatin County, registering and voting? What kind of identification would be provided so we know that this person is a resident? With the 30-day cutoff we have now, within five days after that cutoff, we have to send a copy of the registration card to the other counties so that registration can be canceled there. With this law, we would have no way to cancel a registration in another county.

BETTY LUND said she called the following states that have poll-booth registration and questioned them regarding this legislation:



1. Maine - This bill seems to be drafted closely to their law. The contact was an election administrator in a small community of about 6,000 and she said "no, they do not like election day registration." She said, "It is a real mess." She mentioned that many times voters would move in from different areas and come to her on election day to register. The time and manpower available did not permit her to check with other areas where they came from to see if they had already voted there.

2. Minnesota - Ms. Lund talked to a lady from a county that has a population of about 130,000. The election administrator said she had nothing but problems on election day and she firmly believed that people were voting in her county that perhaps shouldn't have. She called the whole process "a pain in the neck." It caused many problems and extra expense. She also reported that the voter turnout was falling. This was also reported in other counties.

3. Wisconsin - Ms. Lund talked to a clerk from Madison, a college town. The clerk's concern was with a student who was registering on election day and perhaps had already received an absentee ballot from his/her hometown. All high school seniors in Wisconsin are registered by the election administrators during their school year.

One of the biggest concerns of all the women that she spoke to was how to plan for the masses that might show up on election day. Several said that they had run out of ballots and had copied them on a photocopying machine. Ms. Lund said that in her county voters use a scanning device. If a copy from a copy machine was used, it could not be counted by the machine. It would have to be hand counted.

Ms. Lund said that she had testified against this bill four years ago. She said, "At that time, there were five states that had election-day registration. Today, there are only three. Two states voted it out in the last four years. This must tell you that it is not working. Montana is fourth in the nation in voter turnout, so we must be doing something right." She urged the Committee to vote against passing this bill.

REP. RICHARD NELSON, House District 6, Flathead County, said that he wanted to be registered as an opponent of this bill and also to record Susan Haverfield, the Flathead County Clerk and Recorder, as being an opponent. Rep. Nelson said he had received a telefax from her this morning. The material she presented was covered by the previous election clerks. Rep. Nelson said that in 1984 in Flathead County, 7,000 voters were purged from the voter registration list. In mid-August of 1984, a concerted voter registration drive was conducted on a local issue. When the votes were purged after the election, it was found that almost half of those that had

been purged for not voting had been registered in that voter registration drive between mid-August and October. They registered them, but these people didn't bother to vote.

Opponents Telefaxing Their Testimony, But Not Appearing to Testify:

Debbie L. Pallett, Clerk & Recorder, Fergus County (Exhibit 6A).

Peggy Zielie, Election Administrator, Yellowstone County (Exhibit 6B).

Questions From Committee Members:

REP. SPRING asked Mr. Pearson if not purging the voter registration list until after two presidential elections would encourage apathy. Mr. Pearson said that he doesn't think it encourages voter apathy. All of the studies that have been done show that no one should be penalized for not voting. The idea is that there are presidential voters that might not support any candidate and they chose not to vote. They should be given at least two presidential cycles before purging them from the rolls.

REP. DEBRUYCKER said that Mr. Pearson had stated in his testimony that 24 countries, including Australia and Canada, have easier voter registration laws. He asked Mr. Pearson if he thought that these countries have a better form of government than we do. Mr. Pearson said they have a similar government to ours in that they are democracies. The one difference between these countries and ours is that they have more voter participation. The hinderance is not that people don't want to vote, but that the voter registration process is unnecessarily complicated when compared to other countries.

REP. MOORE asked Betty Lund if she would be more apt to support this bill if it was changed from 30 days to 15 days before election that everyone would have to be registered. Ms. Lund said that the county she represents is the 7th largest in size and that voter registration is computerized in her county. Before the general election, Ravalli county had over 1,000 last-minute voter registrations 30 days before the election; they just barely finished everything in time. However, this change would be something that could be considered with more computerization.

REP. ROTH asked Mr. Pearson if he believed that voting was a responsibility. Mr. Pearson said that voting is a right. Everyone should have access to the polls and the ability to vote on election day no matter what.

Closing by Sponsor: Rep. Cohen said that there is a lot in this bill designed to remove barriers to voting and registration.

He then explained how same-day registration would work. Rep. Cohen said that under current law a voter could vote in all elections except the presidential election and then be purged. That is why it was proposed in the bill that a voter could miss two presidential elections. Some counties are already providing voter registration cards at the vehicle registration desks.

He also stated that testimony was presented that said that all seniors in high school are registered. Many seniors are not 18 until after they graduate.

## DISPOSITION OF HB 724

Motion: Rep. Nelson moved DO NOT PASS.

Discussion: REP. ROTH said that this bill clearly has other problems, not the least of which is the same-day registration which would allow an individual with a fast car to vote in a significant number of different counties. He said that he didn't think the Committee would want to promote that. We should not allow people to stay registered for eight years as opposed to four if they fail to vote. The county clerks would have an incredible amount of work if the bill passed.

REP. WHALEN said he would like to rise in favor of the bill. He said that the objections that were brought up were well thought out before the drafting of the legislation. The bill requires that you have to have a certificate from the county court house and then go to the polling place in order to vote on the same day. You can not get in a fast car and drive to five different precincts to vote. The bill has excellent ideas in it; the only part Rep. Whalen could find objectional is not purging the voter registration list for eight years. Rep. Whalen said he felt that the Legislature should give the county election judges the money necessary to administer this bill.

REP. RUSSELL said that this bill would increase citizen participation in elections, and it is a good bill. She said, "A lot of times we see something like this and it looks really cumbersome and difficult to administer; I think if we can get it out on the House floor, if there are some changes that need to be made, we probably can do them there."

REP. MOORE reminded the Committee that the clerk and recorder, Betty Lund, had said that they might be able to work with 15 days registration prior to election.

Amendments, Discussion, and Votes: REP. MOORE moved to amend the bill, on page 5, lines 15 - 17 to change to a 15-day registration. She said this might be a compromise that would help this bill pass. The motion FAILED on a voice vote.

REP. O'CONNELL said that the clerks and recorders were opposed to this. She asked what would the staff at the motor vehicle registration office do if the bill were to pass as they don't have enough staff now. She said she thinks it is a very poor bill.

REP. SPRING said that he thinks it is a very poor bill.

REP. GERVAIS remarked that you do not have to register to vote when you obtain your drivers' license. He said that this would be a good idea in an area where he lives because some people have to drive almost 100 miles to get their driver's license and it is a good time to register.

REP. NELSON said that any registered voter can register a person to vote. No one has to drive 100 miles. All they have to do is go next door to someone who is registered, have them sign their registration card and mail it in. There is no problem.

Recommendation and Vote: REP. ROTH made a substitute motion to TABLE THE BILL. A roll call vote was taken. The motion CARRIED by a vote of 11 - 7.

#### HEARING ON HJR 27

Presentation and Opening Statement by Sponsor: Rep. Ben Cohen, House District 3, Whitefish, introduced the resolution. This resolution urges the President and Congress to reduce military spending and disapprove requests for new strategic weapons systems and to use the saving from cuts in the military budget to reduce the national deficit and to increase funding for Medicaid and other programs for the needy.

Rep. Cohen referred to three brochures that were placed on the Committee members' desks in the House chambers: a study of the high costs of Medicaid for infants; an analysis of the expansion of Medicaid coverage for inpatient psychiatric services for persons under 21 years of age; and, a budget analysis of the Montana Medicaid program. In 1988, total spending in Montana for Medicaid was \$147 million; \$13,000,900 came from the general fund, which means more than 10 percent of the state's general fund is going to pay for the state's share of Medicaid funding. The problem with this nation is that we are ready to go ahead and spend over \$500 million dollars per airplane, and yet we can't meet some basic needs of the underprivileged. There is a unique

opportunity that is occurring now with unilateral troop reductions in Europe. There is a tremendous opportunity for our president to negotiate some strategic arms reductions with the Soviet Union. If this occurs, then we may have an opportunity to meet some of the problems of the needy in this nation.

Testifying Proponents and Who They Represent:

Mignon Waterman, Montana Association of Churches

John Ortwein, Montana Catholic Conference

Proponent Testimony:

MIGNON WATERMAN presented written testimony (Exhibit 7).

JOHN ORTWEIN presented written testimony (Exhibit 8).

Proponent Presenting Written Testimony But Not Testifying:

Butch Turk (Exhibit 8A)

Testifying Opponents and Who They Represent:

Rep. Phillips

Testifying Opponents and Who They Represent:

REP. PHILLIPS said that what the resolution says is good; we do need more money for Medicaid and we need less money for weapons. He asked if the Committee members are qualified to say what the nation's defense needs are. He said he didn't think so. Rep. Phillips said he heard this same "hue and cry" when the Pershing II missiles were deployed in Europe about what it was going to cost. "What it really cost was Russia took out their SS20's, and we now have an intermediate-range missile treaty in Europe. You can't negotiate from a weak point. You've got to be strong. I think we need to leave that up to the leaders of the nation who have all the facts. This is more or less a purely political statement, and I think this body has more to do than argue something like this on the floor. I recommend a do not pass."

Questions From Committee Members: None

Closing by Sponsor: Rep. Cohen said that he thinks the proponents, the churches of the state of Montana and the opponent, the retired military officer, speak for themselves on this issue.

## DISPOSITION OF HJR 27

Motion: Rep. Russell moved HJR 27 DO PASS.

Discussion: REP. WHALEN said that we have talked a lot in this Legislature about setting priorities. In the last election, the voters passed a constitutional amendment, which would give the Legislature the authority to set priorities insofar as spending for people who through no fault of their own find themselves in need of public assistance. "I think just about everybody recognizes we have a problem with military spending, and I'm not opposed to defending this country; but we're spending an awful lot . . . on a bureaucracy that isn't necessarily driven just for the purposes of defending this country . . ." He said he strongly supports this resolution.

REP. RUSSELL said she "really thinks this is an excellent resolution. This tells the Congress that we are concerned about the needs of people within our communities within our state. We really need to take a look at some of the priorities that our nation does set." She said she would like the Committee to consider favorably this resolution.

REP. PHILLIPS stated that this bill is purely a political statement. He agrees that "the military complex is too bloated and wastes money, but we can't do a damn thing about it here. We have bigger and better things to do in this body than to talk politics all the time."

REP. CAMPBELL said he would like to point out that the budget today is a smaller percentage of our gross national product than it was in 1960.

Amendments, Discussion, and Votes: None

Recommendation and Vote: A roll call vote was taken. The motion FAILED 8 - 10. Rep. Phillips moved to TABLE THE BILL AND REVERSE THE VOTE. The motion CARRIED on a voice vote. HJR 27 was TABLED by a vote of 10 - 8.

## HEARING ON HB 708

Presentation and Opening Statement by Sponsor: Rep. Bruce Simon, House District 91, introduced the bill. This bill eliminates the requirement that a state agency, such as the Department of Labor and Industry, Workers' Compensation Division and the Department of Social and Rehabilitation Services, distribute an annual report to the Governor.

Rep. Simon said this bill would eliminate the reports that

are called for by statute that must go to the Governor. This bill would eliminate that mandate so that only the material considered relevant and suitable by the department would be furnished to the Governor.

Rep. Simon said there was a drafting error in the bill. One of the sections listed in the repealer section should be removed and amended. He distributed the sponsor's amendment (Exhibit 9).

Testifying Proponents and Who They Represent: None

Testifying Opponents and Who They Represent: None

Questions From Committee Members:

REP. DEBRUYCKER said that the way the bill reads the Governor can still request the reports. Rep. Simon said this bill just removes the statutory requirements that an annual report be prepared. This should save some paperwork and expense.

Closing by Sponsor: None

#### DISPOSITION OF HB 708

Motion: Rep. Phillips moved HB 708 DO PASS.

Amendments, Discussion, and Votes: Rep. Phillips moved the sponsor's amendment. The motion CARRIED unanimously.

Recommendation and Vote: Rep. Phillips moved HB 708 DO PASS AS AMENDED. The motion CARRIED unanimously. Rep. Phillips moved to place HB 708 on the CONSENT CALENDAR. The motion CARRIED unanimously

#### HEARING ON HB 612

Presentation and Opening Statement by Sponsor: Rep. Fred Thomas, House District 62, introduced the bill. This bill revises the definition of "contribution" and "expenditure" as they relate to campaign financing. The definitions are revised to include "in-kind contributions," which are defined as "the furnishing of anything of value without charge or at a charge that is less than market value . . ."

Rep. Thomas said that there are two loopholes in the bill. One loophole is a democratic one, and one is a republican one. The amendments were to take care of this and he had amended the wrong section. Ms. Menzies distributed the sponsor's amendments (Exhibit 10).

Testifying Proponents and Who They Represent:

Dolores Colburg, Commissioner of Political Practices

C. B. Pearson, Executive Director, Common Cause of Montana

Margaret Davis, Montana League of Women Voters

Don Reed, MONTCel

Proponent Testimony:

DOLORES COLBURG said that "in-kind contributions that currently exist are absolutely ludicrous and nightmarish." Ms. Colburg said that when candidates realize that they have reached the limit, they say, "I cannot take any money, but you can go down and put money on my printing bill."

C. B. Pearson presented a report entitled, "Campaign Contributions to the 1988 Montana Legislative Races: The Effect of Montana's PAC Limit Law" (Exhibit 11). He explained the report and stated that we do not need to raise the aggregate PAC limits as proposed in the sponsor amendments.

MARGARET DAVIS presented written testimony (Exhibit 12).

DON REED presented written testimony (Exhibit 13).

Testifying as Neither a Proponent nor Opponent:

Gail M. Stoltz, Montana Democratic Party

Testimony:

GAIL STOLTZ said that they strongly oppose increasing the PAC monies as proposed in the sponsor amendments.

Questions From Committee Members:

REP. SQUIRES asked how a candidate would quantify the cost of services. Ms. Colburg said that she believed it could be accomplished and it would take certain guidelines out of the Commissioner's Office. Ms. Colburg said it is more difficult than tracking money contributions; but someone is rendering a valuable service and is providing a number of hours of their time to a candidate. REP. SQUIRES said that she thinks it is a real hard area to track.

REP. MOORE asked Ms. Colburg if all the voluntary help she receives would have to be reported if this bill passed. Ms. Colburg said that Rep. Moore would have to put a value on the service and staff provided to her as a candidate, but



the obligation would have to be on the provider to know how much to report. It would have to be included in the PAC money.

REP. WESTLAKE asked how big of a problem this loophole had been to the Commissioner of Political Practices. Ms. Colburg said that she hasn't had complaints in the usual sense, but she has had lots of complaints that this could happen.

Closing by Sponsor: Rep. Thomas said he always supports full disclosure. The PAC law is designed to put a restraint on PAC contributions, but the most important part of the bill is to disclose to the public what is going on. This bill will bring in the personal services, which is a very valuable commodity. When you do this, you must increase the aggregate amount of PAC contributions that can be received.

#### DISPOSITION OF HB 612

Motion: Rep. Spring moved HB 612 DO PASS.

Amendments, Discussion, and Votes: Rep. Spring moved the sponsors amendments. Lois Menzies clarified the amendments. She said that the amendments correct a drafting error. The section in the bill that should have been amended is the section that refers to PAC contributions. The amendment doubles those contribution limits. A senator may receive \$2,000 and a representative may receive \$1,200 under the proposed amendments. The motion CARRIED unanimously.

REP. DAVIS moved to strike section 2 in its entirety. He said he did not want to increase the amount of PAC contributions that may be received.

REP. MOORE said "If we are going to change the law where we have to report voluntary help that we have been getting, it is going to cancel out our right to get other PAC money. . . . In my case it costs me \$5,000 to come up here. It is not out of line to double that amount that we can collect from PACS if we have to report that voluntary help."

REP. DAVIS said that this bill does not address the volunteers; you can have all the volunteers that you want.

REP. SPRING said he agrees with Rep. Moore.

A roll call vote was taken. The Davis motion FAILED 6 - 12.

REP. WHALEN said he opposes the bill. "It has too many difficulties, and I don't think that we have time to repair them. You have the situation as to whether or not someone had claimed they gave you an in-kind contribution for their own tax purposes, or whatever it happens to be, depriving you of the total amount of limit that you would have under

the law."

Recommendation and Vote: Rep. Whalen moved to TABLE THE BILL. A roll call vote was taken. The motion CARRIED 16 - 2.

#### HEARING ON HB 615

Presentation and Opening Statement by Sponsor: Rep. Bob Raney, House District 82, Livingston, introduced the bill. This bill revises the Lobbyist Disclosure Law. To conform with standard bill drafting procedure, most of the definitions are stricken and reinserted unchanged in alphabetical order. The definition of "lobbying" is revised to provide that lobbying includes the practice of promoting or opposing official action by any public official, regardless of the amount of money expended in a calendar year. Similarly, a "principal" is defined as a person who employs a lobbyist, regardless of the amount of payments made to the lobbyist in a calendar year. The bill also requires the Commissioner of Political Practices to provide a summary report to the Legislature of all lobbyist expenditures. In addition, the bill also requires a principal to file with the Commissioner an accounting of payments made for the purpose of lobbying.

Rep. Raney said that the vast amount of lobbying expense reporting isn't done until 60 days after the Legislators have gone home. At the request and with the cooperation of Dolores Colburg, this bill was drawn. Ms. Colburg has met with lobbyists before the session and she feels comfortable that they have arrived at a consensus on the points that need to be taken out of the bill. A sponsor's amendment was distributed (Exhibit 14) that removed the necessity of reporting living expenses.

#### Testifying Proponents and Who They Represent:

Dolores Colburg, Commissioner of Political Practices

Margaret Davis, Montana League of Women Voters

C. B. Pearson, Executive Director, Common Cause in Montana

Diane Sands, Montana Women's Lobby

#### Proponent Testimony:

DOLORES COLBURG, Commissioner of Political Practices, said that the reason for striking the language at the beginning of the act is to alphabetize the definitions. In addition, this bill does the following:

1. It clears up confusion and some inconsistencies as to who are and who are not lobbyists. It clears up ambiguities.

2. It requires that lobbyists will report lobbying expenditures monthly, and these reports will be due on the 15th of the succeeding month. The reports would be required to be made monthly if there are lobbying payments made. The principal will still file after the Legislature has adjourned.

3. The bill would require the Commissioner to provide a summary report of lobbyist expenditures. Ms. Colburg stated the bill would be a good auditing tool. She also asked, "What is the point of learning how much they have spent after you have gone home?"

MARGARET DAVIS, representing the Montana League of Women Voters, said that they support the bill and the amendments.

C. B. PEARSON, Executive Director, Common Cause in Montana, said they had worked for a number of years to get the lobbyist bill passed. He said they think it is time now to clean up parts of the law and modernize it. Basically they would like to have a clear understanding of the process.

DIANE SANDS, representing the Montana Women's Lobby, said they support the bill.

Testifying Opponents and Who They Represent:

John Lahr, Self

James Mockler, Montana Society of Associated Executives

Jerome Anderson, Self

John Alke, Montana-Dakota Utilities and Montana Blue Cross and Blue Shield

Mike Pichette, Montana Power Company

Gene Phillips, Self

Ken Williams, Self and Entech

Tom McGree, U.S. West Communications

Opponent Testimony:

JOHN LAHR said he is here for his own self protection. Mr. Lahr said he thinks that Common Cause in Montana must be frustrated because Montana people are basically honest. He has worked in the capitol building since 1961 and has never met a dishonest legislator or a dishonest lobbyist. He asked how many editorials the Committee had read about dishonest lobbyists. "This bill turns the spotlight on me, and I am the target; it is a fishing expedition," Mr. Lahr

said.

JAMES MOCKLER, President, Montana Society of Associated Executives, said that he has been in the legislative process, both as a legislator and as a lobbyist, for over 20 years. Mr. Mockler said, "In those 20 years I have yet to meet that person that I have ever suspected of being bought, sold or influenced unduly by whatever a lobbyist may offer for their preference. . . . I have not seen it. All I have seen is people who wish to, perhaps, misrepresent facts."

Mr. Mockler said he thought it was interesting that there was no fiscal note attached to the bill. He said that with this bill he would have to file four or five times as a lobbyist and once for the principal, so it certainly will take more time for the Commissioner's office to go over the reports.

JEROME ANDERSON said that he appears in opposition to HB 615 and in support of the amendments suggested by Ms. Colburg, in respect to taking living expenses out of the bill. He has been a lobbyist at the Legislature for 42 years. Mr. Anderson said, "I have never, in any part of my lobbying experiences or as a member of the Legislature, run into any type of indication of any dishonesty on the part of the Legislature or the part of the lobbyist." Mr. Anderson stated that he had no objection with reasonable reporting. He also said that a nonresident lobbyist is at a distinct disadvantage. "During most of my lobbying career, I was a resident of Billings, Montana, lived in motels, traveled back and forth by airplane on a weekly basis and also drove my car. I reported lobbying expenses, which I also took to mean cost-of-living expenses, here in Helena. The report was substantially inflated, as compared to a resident lobbyist in Helena."

In reference to the lobbyists that met with Ms. Colburg to draft this bill, Mr. Anderson said that he didn't think "that six out of the more than 500 lobbyists registered this session is a good representation."

JOHN ALKE, representing Montana-Dakota Utilities and Montana Blue Cross and Blue Shield, said that if this bill were to be passed it wouldn't affect him "one iota with the kind of lobbying I do." He said he testifies before the Committee, he reads bills and does not entertain. He said he would like to explain why his clients would have a legitimate interest in the bill. The current lobbyists disclosure law focuses only on one small group of lobbyists. It does so by defining "lobbyists" as only someone who lobbies for hire. "If you lobby for yourself, you can spend unlimited amounts of money influencing the Legislature." Corporations always must hire a lobbyist as they can only act through agents.

Mr. Alke said that the Committee must consider the following examples before acting upon the bill: A rancher can get

into a dispute with the Montana Power Company. He can have someone sponsor a bill that would affect his dispute. A rancher can come in and spend unlimited amounts of money lobbying his position. He is not lobbying within Montana's definition of lobbyist disclosure. The Montana Power Company, being a corporation, must hire a lobbyist. The two groups will be working on the same bill, speaking to the same Legislature and doing exactly the same thing. One group is lobbying, the other group is not.

Another example would be if one rancher incorporates and the other is in a partnership. If they came to the Legislature lobbying for a bill, the one that was incorporated would have to file as a lobbyist; the other wouldn't have to.

Mr. Alke also took exception with the provision requiring a lobbyist to report monthly. The bill "says the lobbyist will report monthly for the payments he makes. The lobbyist does not make his own salary payments or his overhead. These are all paid by the principal. So the bill as drafted will not require the individual lobbyist to report anything more monthly than his entertainment expenses."

MIKE PICHETTE, representing the Montana Power Company, said that "in general changing it from principal to lobbyist removes the proper burden. The principal is responsible for getting the interest served; he should report the expenditures. Secondly, the lobbyist has no power to tell the principal to supply accurate and complete information."

GENE PHILLIPS said that he was appearing on behalf of himself and that he is an attorney in private practice in Kalispell. He said that he represents maybe 10 or 12 principals. He said he has been a registered lobbyist since 1969 and has represented "quite a diverse group of people." Mr. Phillips said that he doesn't know how this bill represents a consensus, as he was never asked his opinion. He also said, "The bill simply does not represent reality of how things are done in the real world." Mr. Phillips said that he represents a client that will not pay him until next July as it is just a small association and the board of directors will not meet until next June. His bill will not be approved until that time. The bill does not address that situation.

KEN WILLIAMS, representing himself and Entech, said that the time spent with a Legislator usually determines your success. The bill tends to compare monetary payments as a measure of success. He urged a do not pass.

TOM MCGREE, representing U.S. West Communication, said he is in opposition to HB 615. Mr. McGree said that he feels appropriate reporting procedures are already in place.

Questions From Committee Members:

REP. PHILLIPS asked Dolores Colburg which lobbyists served on the committee that helped draft the bill. Ms. Colburg gave the following list: Bev Gibson, Montana Association of Counties; Dennis Burr, Montana Taxpayers Association; Diane Sands, Montana Women's Lobbyist; John Delano, representing a variety of principals; Steve Brown, also representing six to eight principals; and Judy Carlson. Ms. Colburg said that she did not intend that this group of six people represented a consensus of all the lobbyists who are paid to lobby before the Legislature. She said she wanted a group that represented several different principals. Ms. Colburg said that it was a group of experienced lobbyists.

Closing by Sponsor: Rep. Raney said that currently over half of the states in the union require monthly lobbyist reporting. Most of those also require monthly principal reporting. Rep. Raney pointed out that Montana has a citizen's legislature. He also said that, "We and the citizens of Montana have every right to know what those lobbyists are doing here. We should know while we are here exactly what they are doing. We should know what those individual lobbyists are spending."

## DISPOSITION OF HB 615

Motion: Rep. Nelson moved HB 615 DO NOT PASS.

Discussion: REP. PHILLIPS said he agrees with the do not pass motion, and he resents the fact that somebody is trying to call him a crook. He said that "all of these bills give the general public the feeling that there must be something wrong because all of these bills are up there."

REP. RUSSELL said that this bill really offers us the information that we, as legislators, need to have. "If you are out there expending money, you have a general idea of what it is that you're spending. I think the public has a right . . . to know where that money is going."

REP. O'CONNELL said she has always "looked at a lobbyist as the fourth form of government, because there are two sides to any issue. "

Amendments, Discussion, and Votes: REP. WHALEN moved the sponsor's amendment. The motion CARRIED on a voice vote.

Recommendation and Vote: REP. PHILLIPS moved to TABLE HB 615 AS AMENDED. A roll call vote was taken. The motion CARRIED

## HEARING ON HB 700

Presentation and Opening Statement by Sponsor: Rep. Bob

Pavlovich, House District 70, Butte, introduced the bill. Under current law, a veteran, handicapped person, or eligible spouse is entitled to a hiring preference for state and local government jobs. This preference requires a public employer to hire a job applicant who is a veteran, handicapped person or eligible spouse over any other applicant with substantially equal qualifications. This bill eliminates this preference for veterans and their eligible spouses and replaces it with a percentage point preference. Under this new preference, a veteran will receive 5 percentage points and a disabled veteran will receive 10 percentage points whenever a scored procedure is used. In addition, the bill gives veterans a preference during reductions in force.

Rep. Pavlovich said that this bill has been before the Legislature four times. Montana is the only state that has no veteran's preference because the former preference expired December 20, 1988. This bill does not affect the World War I and II veterans because they are mostly dead. Rep. Pavlovich said that this bill is mainly for the Vietnam veterans who received so little. He said that they want no compromise or amendments to the bill and would rather the Committee kill the bill than amend it.

Testifying Proponents and Who They Represent:

Joe Brand, Self

John Jones, Self

Dan Antonietti, USDL - VETS

Jim Rehbein, Department Commander, Disabled American Veterans

John Sloan, MOPH DAV

John Denherder, DAV Department, Legislative Director

Hal Manson, American Legion of Montana

George Poston, United Veterans of Montana

Rich Brown, Montana Board of Veterans' Affairs

Brenda Blackman Gruel, Self

Walt Wheeling, Self

Mike Workman, Self and ex-prisoners of war Bataan and Corrigador

Proponent Testimony:

JOE BRAND said he supports special treatment for the handicapped and the veterans. But the veteran's preference law just expired. Mr. Brand said that he has never received anything since he was a veteran, but he didn't need to use any of the benefits. Mr. Brand said that people are called to war and it disrupted their lives. He resents the handicapped coming and trying to take something from the veterans. Montana is the only state that does not have a veterans preference act.

JOHN JONES said he was here on his own recognizance and on the part of Korean and Vietnam veterans. He said that he stands for the veterans of the unpopular wars. Many of us will never forget those that have been physically impaired and emotionally hurt. Mr. Jones said that the arguments against this bill will be: we are not at war; it was their choice to go; most Vietnam and Koreans vets have jobs and do not need veteran's preference any more. Those people who are in the service during peace time have kept us out of wars.

DAN ANTONIETTI quoted from a civil rights bill of 1964. He said that Congress specifically exempted veterans from their statute. Mr. Antonietti believes that the draft is the most discriminatory act today on the books.

JIM REHBEIN, representing the Disabled American Veterans, said there were WACS, WAVES, and nurses that worked day and night for the cause. They are all a part of the service. He asked the Committee to think about what it would be like today if all of the veterans hadn't made the sacrifices they did. He said we could possibly be living under either Japanese Imperialism or a German dictatorship.

JOHN SLOAN, the commander of the Purple Heart, said that the veterans that gave up the best years of their lives deserve to have the veterans' preference bill passed.

JOHN DENHERDER said that he considers the veterans' preference act an honorarium to the veterans. He appealed to the Committee to send the bill out with a do pass.

HAL MANSON, representing the American Legion of Montana, said that they strongly support this bill. "People come home from wars and sometimes they are given good treatment and sometimes they are not. We, who came home from World War II, of course, were at the end of the big war. ... Because of the World War I veterans, we were well taken care of. Some of us had a need for veterans' preference and some didn't need it, but it was there for us. The same for those who came home from Korea. We had the law. The people who



came home from the Vietnam era . . . do not have this privilege. The law we had on the book for the last few years gave them practically nothing and even that law died in December. This bill takes nothing away from the handicapped. All it does is get us out of their law and into a law of our own. It doesn't take anything away from what they have now. People who come forward and say it is not good for the women should remember that there are a lot of women veterans from the Vietnam era. There are approximately 1,500 women in Montana between the ages of about 36 - 42 that served in the Vietnam era. Some of them in a combat area in Vietnam. These people deserve the veterans' preference. They deserve a little break for what they did."

GEORGE POSTON, representing the United Veterans' Committee of Montana, said there has recently been a large exodus of our people from Montana. The proportion of veterans in this exodus is much higher than any other category. This is happening because the "other people" have a preference for employment. There is affirmative action, handicap preference and other minority preference for jobs. The veteran has nothing. "Is that fair? Is that just? A draft dodger could go out here and wreck his automobile, be drunk, become handicapped and have a priority over a veteran. We need this veterans' preference."

RICH BROWN, Administrator, Veterans' Affairs Division for the State of Montana, said that on behalf of the Board of Veterans' Affairs in Montana, we are unanimously behind HB 700. He said that he "personally and professionally supports HB 700."

BRENDA BLACKMAN GRUEL presented written testimony (Exhibit 15).

WALT WHEELING, representing himself and the American ex-prisoners of war of Bataan and Corrigador, and said that they wholeheartedly support this bill.

MIKE WORKMAN, said he is a businessman from Eureka. He said he is not going to be looking for a job and will not need the five percent preference, but related a story of a young man that might have graduated from high school in Eureka in 1968 and didn't have enough money to go to college. He found himself in the rice paddies. When he returned home in 1971 he was three to four years behind in the job market. This bill is about helping veterans become competitive in the job market.

Committee Members Who Wished to be Listed as Proponents:

Rep. Helen O'Connell  
Reo. Vernon Westlake  
Rep. Roger DeBruycker  
Rep. Harriet Hayne

Rep. Bob Gervais  
Rep. Janet Moore  
Rep. Wilbur Spring  
Rep. Rande Roth  
Rep. John Phillips  
Rep. Bud Campbell  
Rep. Richard Nelson  
Rep. Ervin Davis  
Rep. Duane Compton  
Rep. Carolyn Squires

Testifying Opponents and Who They Represent:

Laurie Ekanger, Administrator, State Personnel Division,  
Department of Administration

Jeanne Doney, Interdepartmental Coordinating Committee for  
Women (ICCW)

Tim Harris, Montana Independent Living Project

Cathy Collins, President, Montana Independent Living  
Project's Board of Directors

Judy Harris, Governor's Commission for Employment of People  
with Disabilities

Jim Reynolds, Self

LeRoy Schramm, Office of the Commissioner of Higher  
Education, Montana University System

Bob Anderson, Montana School Boards Association

Bev Gibson, Montana Association of Counties

Diane Sands, Executive Director, Montana Women's Lobby

Opponent Testimony:

LAURIE EKANGER presented written testimony (Exhibit 16) and  
distributed amendments (Exhibit 17).

JEANNE DONEY presented written testimony (Exhibit 18).

TIM HARRIS presented written testimony (Exhibit 19).

CATHY COLLINS presented written testimony (Exhibit 20).

JUDY HARRIS, co-chairperson of the Governor's Committee for  
Employment of People with Disabilities, said that Governor's  
Committee is opposed to HB 700. This bill would deny equal  
preference to veterans, disabled veterans and civilian  
disabled together. It establishes two separate sets of  
preference rules. There is no need to create separate and

unequal preferences which will not only be difficult to administer but will also amount to discrimination against the civilian disabled. The new sections in the bill, as they apply to veterans, no longer require residency in Montana. With the job market in our state, the Committee cannot support a bill which would give the same preference opportunity to an out-of-state applicant as to a state applicant. Ms. Harris also said that the section of the bill that deals with eligible relatives of veterans creates an even larger pool of preference-eligible persons.

JIM REYNOLDS, an attorney in private practice in Helena, said his interest in the bill arises because he was the attorney that represented Vivian Crabtree in the landmark decision in 1983, which revived the veterans and handicapped preference issue in Montana. Mr. Reynolds said that for 70 years Montana has had an employment preference law that included both handicapped persons and veterans. In 1921, Montana recognized that handicapped people needed preference. That is when the two preferences were combined. Mr. Reynolds asked the Committee not to do away with 70 years of history by dividing the two preferences up as the bill proposes. Mr. Reynolds said that he finds it ironic that the veterans wish to divide the two preferences because it was a "blind, civilian woman that brought the preference issue back to the forefront in Montana."

LEROY SCHRAMM, representing the Montana University System, said that they are concerned with several parts of the bill. The layoff provisions are the ones that cause the most trouble. He said there are several campuses where bargaining agreements are not involved (Montana State University and Montana Tech). If they have a layoff on either of these campuses, and they had a nontenured veteran and a tenured non-veteran, they would have to lay off their tenured person first. Mr. Schramm said that this would be an invitation to a lawsuit, and it would violate every contract that they have with the person. He also said he believes that school districts would probably be in the same situation. This bill would turn tenured rights "topsy turvy" depending on whether the person was a veteran or non-veteran.

Mr. Schramm said this bill covers temporary and part-time workers. The university system has over 5,000 student employees, none of which are covered by a collective bargaining agreement. These students are often laid off at the end of a year as work-study funds get tight. Mr. Schramm said that they would have to lay off every non-veteran student first, whether it be a woman, native American or the poorest student in the state that is working himself through school. We would have to keep the veteran student that would have access to the updated version of the G.I. bill, which offers educational benefits that other students do not have access to. He said the definition of "disabled veteran" has no minimum percentage, so even the

slightest disability calls for the extra preference of a disability. Mr. Shram said that he regularly participates in sports with people that have five percent disabilities and you wouldn't know it. The image of a disabled veteran conjures up someone in a wheelchair. He said that he thinks that there needs to be some limitations so that you are talking about a disability that has some impact on a person's day to day activities. He also noted "the definition of honorable discharge is a strange definition. It says, discharge under honorable conditions, but then when you look at it, it says it includes a general discharge."

BOB ANDERSON, representing the Montana School Boards Association, asked the Committee to consider what LeRoy Schramm said in regards to tenured positions. This law seems to be in conflict with all of the provisions we have to comply with in the area of tenure. Like many other parts of the bill, it would involve a lot of litigation to school districts.

BEV GIBSON, representing the Montana Association of Counties, presented written testimony (Exhibit 21).

DIANE SANDS, Executive Director, Montana Women's Lobby, said that the current preference law works, and it is fair. She asked the Committee to oppose the bill.

Opponent Submitting Written Testimony Who Did Not Testify:

Lynnette Stern, WomenCARE (Exhibit 22)

Questions From Committee Members:

REP. GERVAIS asked LeRoy Shram if he was a veteran. Mr. Schramm said no. REP. GERVAIS stated that Mr. Schramm had said in his testimony that there were 5,000 temporary student jobs at the universities that may be taken by veterans with veterans' preference. He asked Mr. Schramm if he knows how many veterans are looking for work. Mr. Schramm said there are a lot of veterans looking for work, and there are a lot of very, very poor students who are also looking for work. He said that he had wanted to point out that veterans have another source of revenue where many poor students do not.

Closing by Sponsor: Rep. Pavlovich said he doesn't see why the Department of Administration can't administer this point preference with a written test when the federal government is able to. If the Department of Administration is not able to do so, they should be replaced. He said that we are not here to hurt the handicapped. They have their preference act. We don't want to have anything to do with it and want to be separate. We are looking for an equal opportunity for the veteran that is equal with the next man down the street. They both take a test and if they are both equal on that test, the veteran gets that five or ten more points.

Rep. Pavlovich says that he finds it hard to believe that a veteran would try to take a university work-study student's job that probably pays less than minimum wage; but he wanted to remind the Committee that those jobs are funded with federal money. Right now the present law is unconstitutional. A recent supreme court decision ruled that residential requirements for veterans is not in accordance with constitutional rights. Rep. Pavlovich stated again that he did not want his bill amended.

DISPOSITION OF HB 700

Motion: Rep. O'Connell moved HB 700 DO PASS.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: A roll call vote was taken. The motion CARRIED 14 - 4.

DISPOSITION OF HB 580

Hearing Date: February 15, 1989

Motion: Rep. Campbell moved to TABLE HB 580.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED unanimously.

DISPOSITION OF HB 714

Hearing Date: February 16, 1989

Motion: Rep. O'Connell moved to TABLE HB 714.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED 16 - 2, with Reps. Squires and Whalen voting no.

DISPOSITION OF HB 660

Hearing Date: February 16, 1989

Motion: Rep. Moore moved HB 660 DO PASS.

Discussion: REP. MOORE said that she has been brutally treated by her newspaper, The Missoulian. She said she had no way of countering the lies that they have printed about her. This bill will give Rep. Moore one more tool to hold the paper liable.

REP. SPRING said he didn't think that this bill would address Rep. Moore's problem.

Amendments, Discussion, and Votes: None

Recommendation and Vote: A roll call vote was taken. The motion CARRIED 10 - 8.

DISPOSITION OF HB 599

Hearing Date: February 15, 1989

Motion: Rep. Davis moved to TAKE HB 599 OFF THE TABLE.

Discussion: Rep. Squires said that this is the bill that was tabled with a vote of 9 - 9. Rep. Brooke had spent a lot of time on this bill, and she asked the Committee to reconsider their tabling motion. REP. NELSON said that there are a lot of people that have put a lot of work in on these bills.

REP. RUSSELL said that it would be a good idea to get the bill out of Committee so that there could be some debate as the vote was so close.

Amendments, Discussion, and Votes: None

Recommendation and Vote: A roll call vote was taken. The motion FAILED 9 - 9.

DISPOSITION OF HB 78

ADJOURNMENT

Hearing Date: January 11, 1989

Motion: Rep. Davis moved TO BRING HB 78 OFF THE TABLE.


Discussion: Rep. Davis said this is the bill was introduced to add an individual as a liaison to represent the non-tribal

people. Then there was an amendment to combine those two positions into one position so that only one person would be a liaison for everyone.

REP. GERVAIS said this is the fourth time we will be acting on this bill, and he thinks that Rep. Davis is doing this reluctantly, but "I don't know for sure." REP. GERVAIS also said, "that county governments are part of state governments. The tribal governments are not part of state governments. We need the position of an Indian coordinator for that very reason."

Recommendation and Vote: A roll call vote was taken. The motion  
FAILED 8 - 10.

Adjournment At: 12:50 p.m.

  
REP. JAN BROWN, Chairman

JB/jb

4114.min

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date February 17, 1989

| NAME                           | PRESENT | ABSENT | EXCUSED |
|--------------------------------|---------|--------|---------|
| Rep. Jan Brown, Chairman       | ✓       |        |         |
| Rep. Helen O'Connell, Vice Ch. | ✓       |        |         |
| Rep. Vicki Cocchiarella        | ✓       |        |         |
| Rep. Ervin Davis               | ✓       |        |         |
| Rep. Floyd "Bob" Gervais       | ✓       |        |         |
| Rep. Janet Moore               | ✓       |        |         |
| Rep. Angela Russell            | ✓       |        |         |
| Rep. Carolyn Squires           | ✓       |        |         |
| Rep. Vernon Westlake           | ✓       |        |         |
| Rep. Timothy Whalen            | ✓       |        |         |
| Rep. Bud Campbell              | ✓       |        |         |
| Rep. Duane Compton             | ✓       |        |         |
| Rep. Roger DeBruycker          | ✓       |        |         |
| Rep. Harriet Hayne             | ✓       |        |         |
| Rep. Richard Nelson            | ✓       |        |         |
| Rep. John Phillips             | ✓       |        |         |
| Rep. Rande Roth                | ✓       |        |         |
| Rep. Wilbur Spring, Jr.        | ✓       |        |         |
|                                |         |        |         |
|                                |         |        |         |
|                                |         |        |         |
|                                |         |        |         |
|                                |         |        |         |
|                                |         |        |         |



2-17-89  
2:10pm  
JLB

STANDING COMMITTEE REPORT

February 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that HOUSE JOINT RESOLUTION 28 (first reading copy -- white) do pass .

Signed: Jan Brown  
Jan Brown, Chairman

2-17-89  
2:10pm  
LO

STANDING COMMITTEE REPORT

February 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 730 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

Jan Brown  
Jan Brown, Chairman

(BU)

Judy

CORRECTED STANDING COMMITTEE REPORT REFLECTING CONSENT CALENDAR

February 17, 1989

Page 1 of 2

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 708 (first reading copy -- white) do pass as amended and that it be placed on the CONSENT CALENDAR.

Signed: \_\_\_\_\_

Jan Brown, Chairman

And, that such amendments read:

1. Title, line 5.

Strike: "DISTRIBUTES"

Insert: "DISTRIBUTE"

2. Title, line 6.

Following: "39-51-303"

Insert: "AND 39-73-102"

3. Title, line 7.

Strike: "39-73-102,"

4. Page 1.

Following: line 18

Insert: "Section 2. Section 39-73-102, MCA, is amended to read:

"39-73-102. Administration -- duties of division. The division of workers' compensation shall administer this chapter. The division shall:

(1) formulate a plan and adopt rules for the operation of this chapter;

(2) cooperate with the federal government in all matters of immediate concern pertaining to silicosis;

~~(3) publish an annual report and interim reports as may be necessary or required or asked for by the governor;~~

~~(4) (3) designate the procedure to be followed in securing a competent medical examination for the purposes of determining silicosis in each individual applicant;~~

~~(5) (4) designate suitable physicians or physicians, well qualified to examine applicants for aid under this chapter;~~

~~(6) (5) pay the actual transportation expenses of any applicant from the place of his residence in the state to~~

February 17, 1989  
Page 2 of 2

the place of examination and return, from funds appropriated to the division for that purpose;

~~(7)~~ (6) develop and cooperate with other agencies in developing measures for the prevention of silicosis."

Renumber: subsequent section

5. Page 1, line 20.

Strike: "39-73-102,"

STANDING COMMITTEE REPORT

February 17, 1989

Page 1 of 2

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 708 (first reading copy -- white) do pass as amended and place on the consent calendar.

Signed: Jan Brown  
Jan Brown, Chairman

And, that such amendments read:

1. Title, line 5.

Strike: "DISTRIBUTES"

Insert: "DISTRIBUTE"

2. Title, line 6.

Following: "39-51-303"

Insert: "AND 39-73-102"

3. Title, line 7.

Strike: "39-73-102,"

4. Page 1.

Following: line 18

Insert: "Section 2. Section 39-73-102, MCA, is amended to read:

"39-73-102. Administration -- duties of division. The division of workers' compensation shall administer this chapter. The division shall:

(1) formulate a plan and adopt rules for the operation of this chapter;

(2) cooperate with the federal government in all matters of immediate concern pertaining to silicosis;

~~(3) publish an annual report and interim reports as may be necessary or required or asked for by the governor;~~

~~(4)~~ (3) designate the procedure to be followed in securing a competent medical examination for the purposes of determining silicosis in each individual applicant;"

~~(5)~~ (4) designate suitable physicians or physicians, well qualified to examine applicants for aid under this chapter;

~~(6)~~ (5) pay the actual transportation expenses of any applicant from the place of his residence in the state to

217-29  
210,  
20

February 17, 1989  
Page 2 of 2

the place of examination and return, from funds appropriated to the division for that purpose;

(7) (6) develop and cooperate with other agencies in developing measures for the prevention of silicosis." "

Renumber: subsequent section

5. Page 1, line 20;

Strike: "39-73-102," in the Consent Calendar.

2-17-89  
2:10p  
XO

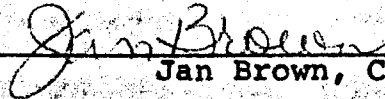
STANDING COMMITTEE REPORT

February 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 700 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_



Jan Brown, Chairman



STANDING COMMITTEE REPORT

February 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 660 (first reading copy -- white) do pass.

Signed:

Jan Brown  
Jan Brown, Chairman



EXHIBIT 1  
DATE 2-17-89  
# HJR 28

WITNESS STATEMENT

NAME Margaret S Davis BILL NO. HJR 28  
ADDRESS 216 Florence Helena MT 59601  
WHOM DO YOU REPRESENT? League of Women Voters of MT  
SUPPORT  OPPOSE  AMEND

COMMENTS: Gender balanced boards and commissions are in keeping w/ MT public policy. The resources of the women of Montana are a great asset and the State deserves the benefit of this expertise.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

SECRETARY OF STATE  
STATE OF MONTANA

EXHIBIT 2  
DATE 2-17-89  
HB 730

Mike Cooney  
Secretary of State



Montana State Capitol  
Helena, Montana 59620

Testimony in Support of HB 730  
Presented By Garth Jacobson  
Before The House Committee On State Administration  
February 17, 1989

Chairman Brown and members of the committee, for the record I am Garth Jacobson representing the Secretary of State's office. I am here today to testify in support of HB 730.

HB 730 establishes a centralized voter registration list in the Secretary of State's office. The primary beneficiary of this legislation would be the Montana Republican Party the Montana Democratic Party and the clerk and recorders offices in Montana.

The political parties in Montana would benefit by having ready access to a complete list of all of the registered voters in Montana. The clerk and recorders would benefit by not having to suffer the time and expense of mailing the voter information pamphlet.

HB 730 would require the clerk and recorders to submit the lists of registered voters in their counties to the Secretary of State's office. The Secretary of State's office would establish the statewide list from the county lists. The office would in turn be responsible for the mailing of the voter information pamphlet. The office could defray the costs of compiling the list by selling the lists to non-commercial entities such as the political parties.

The state of Wyoming uses a system of a centralized voter registration list similar to HB 730. The election official I spoke with believed their system worked very well.

Obviously this bill does not come without a price tag. But the costs of setting up the system could be defrayed by the sale of the registration lists. By assuming the cost of the mailing of the voter information pamphlet the state can provide some financial relief for the county government. I urge your support of HB 730 and ask that you give it a due pass recommendation.

Report of the  
Task Force on

EXHIBIT 3  
DATE 2-17-89  
HB 724



**BARRIERS**

**TO VOTING**

of the National Association of Secretaries of State

The Honorable Sherrod Brown, Ohio, Chairman  
The Honorable Elaine Baxter, Iowa  
The Honorable Allen J. Beermann, Nebraska  
The Honorable Natalie Meyer, Colorado  
The Honorable Dick Molpus, Mississippi

## SUMMARY

"The depressed level of voter turnout in the United States is directly attributable to the haphazard systems of requirements for citizens to register to vote in the 50 states." Both the Harvard-ABC Symposium in 1983 and the Commission on National Elections in 1986 (both bi-partisan groups) reached this same compelling conclusion.

Barriers to voter registration and burdensome administrative procedures in the various states are still major contributors to America's low voting turnout. The most common barriers to voter registration are identified and discussed as:

- knowing the law;
- moving;
- requiring registration at a central office;
- special difficulties for members of the armed forces, out-of-towners, students, persons with language problems, disabled persons;
- linkage to jury duty;
- election officials who are not helpful.

All of the witnesses, election officers and registration organizers alike, at a national hearing on barriers to registration agreed that government has some responsibility to make voter registration accessible.

This report presents a model system for accessible voter registration. The model contains 25 specific recommendations, which are divided into

- general provisions that should be in all registration codes;
- provisions for mail-in registrations;
- registration provided through public agencies;
- using branch offices and volunteer registrars;
- reduced deadlines and day-of-election registration;
- purging registration lists;
- a central voter registry.

The recommendations are severable for individual enactment and implementation, but the model system as a whole is needed to provide a comprehensive, uniformly accessible voter registration program for the nation. A list of states that allow each of the registration systems discussed is provided.

The recommendations are:

1. Verification of all voter registrations.
2. No declaration of political affiliation with registration.
3. Unrestricted distribution and return of registration forms.
4. No witness requirement for registration.
5. Centralized state responsibility to supervise elections and registration.
6. Adequate funding for registration services.
7. Elimination of all dual registration.
- 8. Unrestricted distribution of mail-in forms.
- + 9. Uniform mail-in registration form.

10. Statewide reciprocity of registration among local registration officials.
11. Forwarding of registrations to appropriate office.
12. Unrestricted reproduction of registration forms.
13. Postpaid return of registrations.
14. Register voters at public agencies.
15. Public agencies and election officials cooperate on registration.
16. Provide registration through driver licensing agencies.
17. Combine voter registration with other government forms.
18. No restrictions on who can register voters.
19. Provide forms to volunteer registrars.
20. Technical errors do not invalidate registration.
21. No restrictions on where registration may occur.
22. Train volunteer registrars.
- 23. Day-of-election or very late registration deadline.
24. Limit purges to change of address or death, and never just before elections.
- 25. Central state registry of voters.

The barriers to voting must come down. Universal registration must be the rule. Accessible voter registration and increased voter turnout will require efforts by all levels of government to remove the barriers that still exist. Only full electoral participation will provide true representative government.

**ARTICLE IV**  
**SUFFRAGE AND ELECTIONS**

**Section**

1. Ballot.
2. Qualified elector.
3. Elections.

---

**Section 3. Elections.** The legislature shall provide by law the requirements for residence, registration, absentee voting, and administration of elections. It may provide for a system of poll booth registration, and shall insure the purity of elections and guard against abuses of the electoral process.

**Cross-References**

Elections, Title 13.

Constitutional Convention Transcript

Cross-References

Adoption, Trans. 2934, 2935.

Committee report, Vol. I 336, 338, 341

through 343; Vol. II 845, 847, 1045.



# State of Maine Department of State

Peter W. Danton  
Deputy  
Secretary of State  
(207) 289-4189

STATE HOUSE STATION 101  
AUGUSTA, MAINE

## DIVISION OF PUBLIC ADMINISTRATION

APA Rules  
289-4184

February 6, 1989

Campaign Reporting  
289-4178

Notaries  
Commissions  
289-4181

Common Cause  
c/o Terri McBride  
P.O. Box 623  
Helena MT 59624

Corporations  
New Filings, Changes  
289-4195  
Corporation Information,  
Annual Biennial Reports  
289-4190

Dear Ms. McBride:

This will refer to our telephone conversation of this afternoon.

Elections  
289-4189  
Ballot Room  
289-4186

Maine has had election day voter registration since 1973. While Maine has generally had a relatively high voter registration and turnout, it is now among the very highest in the United States. I personally believe that these high rates are closely related to our having election day voter registration. Approximately 10% of all voters registered in time to vote on election day, actually register on that day. Obviously this system allows those people who procrastinate and those who have recently moved to a community to register and to vote at the last minute.

Lobbyist  
Registration  
289-4175

On the other hand, our local election officials have not been thrilled at the prospect of dealing with relatively long lines of new applicants on election day. In Maine, voter registration is conducted at the city and town level and not at the county level. In addition there is also concern that it is somewhat difficult to verify qualifications of applicants who register on election day.

Uniform  
Commercial  
Code  
289-4177

In the 14 years during which election day registration has been in effect, there have been virtually no cases of fraud related to this procedure. Even during nuclear power referendums, when there were many charges that "out-of-staters" were coming to Maine to vote on that issue, no proven cases of fraud were discovered. Most other elections do not have that degree of concern about multiple voting. Of course, it is somewhat difficult to prove such fraud, but I do not feel that it is very likely to occur with election day registration versus registration which closes several days before an election.

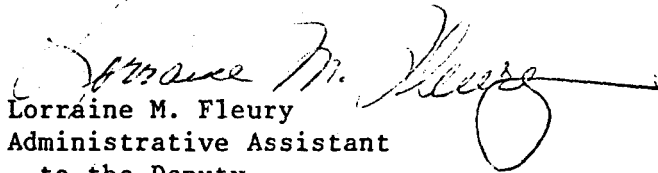
General  
Information  
289-4180

Common Cause  
Terri McBride  
February 6, 1989  
page 2

In summary, while high election day registration has caused some discomfort for local election officials and some concerns about fraud, there has been very little and there has been a very positive impact on the rate in which Maine citizens register to vote and actually turn out on election day.

I hope these reflections are helpful to you. Please feel free to call me if you need any further information.

Sincerely,

  
Lorraine M. Fleury  
Administrative Assistant  
to the Deputy



## NORTH DAKOTA

### VOTER REGISTRATION

In 1895, the 4th Legislative Assembly of the State of North Dakota enacted a law requiring voter registration in our state. That law required registration of voters in municipalities having a population over fifteen hundred people for general elections only. The election officials meet for one day two weeks before the general election to register voters. As a result, some people became ineligible to voter because they didn't register. The voter registration lists were arranged alphabetically.

In 1951, the municipal voter registration law was repealed after being studied by a legislative committee during the previous year. Many small communities in North Dakota were not required to have voter registration. Periodically, efforts are made to enact a voter registration system by our legislators. Those efforts have failed so far.

Currently, our system seems to work well. When a person goes to the polls to vote, they must give their name to the poll workers. If they are a first time voter, they may be required to show identification (driver's license) and may be required to sign an affidavit of voter eligibility. To be eligible to vote a person must be at least 18 years old, a U.S. citizen, a North Dakota resident, and have resided in a precinct for 30 days before an election. If a voter has voted before and continues to vote, their name is maintained in the pollbook. When a voter appears to vote, a numerical notation is made by their name that they have voted. The pollbooks are updated after each election and by the city and county auditors between elections by using city and county tax lists and utilities hookup lists. As long as a person continues to reside in a precinct, their name is kept in the pollbook. In effect, you might say we have indirect voter registration.

Ours is a good system because a person does not have to preregister in order to vote. There are no restrictions on voters who have not preregistered. In most states, if you don't register, you don't vote. As a result, those persons are disenfranchised automatically.

There are arguments against voter registration. By requiring voter registration, you may be adding to the tax burdens of local citizens as extra workers may have to be hired to do that work. Another question concerning the lack of voter registration is that of voter fraud. However, no fraud has been proven in our

state. Perhaps because of our small state population, election workers usually know those persons that come to vote, especially in the more rural precincts. Of course, affidavits are used in precincts in the larger towns when necessary. If a persons falsely swears on an affidavit, they are guilty of a misdemeanor.

The North Dakota no voter registration system appears to be working well. Our state usually has high voter participation at each presidential election. That's the way it should be. Only a few states can claim to have voter participation as high as we have in the upper midwest.

The Bureau of Governmental Affairs at the University of North Dakota, Grand Forks, North Dakota, 58201, has written a booklet called Resource Publication J, "Fraud Free Elections are Possible Without Voter Registration". You might write for that publication.

We have enclosed a few pages showing voter participation in our state over the past fifty plus years and a copy of our voter affidavit. Also enclosed is a fact sheet prepared by our legislative council office in September, 1984.

Prepared by Robert R. Schaible  
Deputy Secretary of State

### VOTER'S AFFIDAVIT

STATE OF NORTH DAKOTA,

ss.

County of \_\_\_\_\_, I, \_\_\_\_\_  
do solemnly swear — affirm — that I am eighteen (18) years of age; that I am a citizen of the United States;  
that I have resided in this State and in this precinct thirty days, next preceding this election, that I have not  
voted at this election, and that I am a legally qualified elector of the precinct.

Subscribed in my presence and sworn to before me this  
day of \_\_\_\_\_

Inspector or Notary Public.

City Clerk

City of  
Madison



March 17, 1987

Hal Harlowe  
Dane County District Attorney  
Room 305, City-County Building  
Madison, WI 53710

Dear Mr. Harlowe,

RE: VOTER VERIFICATION CARDS

On election day those voters who register to vote for the first time complete a registration card and a verification card. The verification card is mailed from this office to the voter to determine if this address is proper.

An audit of voter verification cards for the February 17 Spring Primary Election shows that 5 persons who registered to vote on election day completed verification cards which were returned to us (4 "return to sender"; 1 "no such number"). Copies of these returned verification cards are attached.

Pursuant to Sec. 6.56(3) Wis. Stat., "... If any postcard is returned undelivered or if the clerk or board of election commissioners is informed of a different address than the one specified by the elector which was apparently improper on the day of the election, the clerk or board shall remove the elector's name from the registration list, mail the elector a notice of the removal and provide the name to the district attorney for the county where the polling place is located."

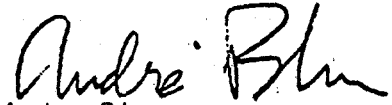
Sec. 11.22(4) Wis. Stat. under "Duties of local filing officer" - states: "Notify the district attorney, or the attorney general where appropriate under ss. 11.60(4) and 11.61(2), in writing, of any facts within the filing officer's knowledge or evidence in the officer's possession, including errors or discrepancies in reports or statements and delinquencies in filing which may be grounds for civil action or criminal prosecution. The filing officer shall transmit a copy of such notification to the board. The district attorney or the attorney general shall advise the filing officer in writing at the end of each 30-day period of the status of such matter until the time of disposition. The district attorney or attorney general shall transmit a copy of each such notice to the board."

City-County Building  
210 Monona Avenue, Room 103  
Madison, WI 53710  
608 266 4601

Hal Harlowe  
page 2

If you have any questions, please feel free to call our office  
at 266-4601.

Sincerely,



Andre Blum  
City Clerk

AB:PJW:st

attachments

City Clerk

City-County Bldg.  
Madison, WI 53710

COO 10 (2211671 RTN TO SENDE  
COONEY DAVID E  
2116 FISHER ST #5  
MADISON WI 53713-1970  
RETURN TO SENDER

**DO NOT FORWARD - Return Postage Guaranteed**

Name DAVID COONEY

Address 2110 FOX AVE Apt. \_\_\_\_\_

Madison, WI ZIP 53711

1102

|  |   |  |                           |
|--|---|--|---------------------------|
| <input type="checkbox"/> New                       | <input type="checkbox"/> Delete                       | WARD <u>47</u>   | VOTER REGISTRATION NUMBER |
| <input type="checkbox"/> Name Change               | <input type="checkbox"/> Suspended                    | DIST. <u>10</u>  | <u>288327</u>             |
| <input checked="" type="checkbox"/> Address Change | <input type="checkbox"/> Reason: Deceased - Left City |  |                           |
| LAST NAME <u>COONEY</u>                            | FIRST NAME <u>DAVID</u>                               | MIDDLE INITIAL <u>E</u>                                | PHONE NO. <u>256-8639</u> |
| HOUSE NO. <u>2110</u>                              | STREET <u>FOX AVE</u>                                 | APT./ROOM NO. _____                                    | TODAY'S DATE <u>7/15</u>  |
| SOCIAL SECURITY NUMBER <u>387 82 7479</u>          | DATE OF BIRTH <u>5/5/65</u>                           | PLACE OF BIRTH - CITY AND STATE <u>HAMMOND INDIANA</u> |                           |
| NATURALIZATION DATA (if not U.S. citizen by birth) | COURT   | CITY AND STATE   |                           |
| FORMER NAME (if registered in Madison)             |   | FORMER ADDRESS (if registered in Madison)              |                           |

STATE OF WIS., CO. OF DANE, CITY OF MADISON AFFIDAVIT OF REG., CHG. OF ADDRESS, NAME

I hereby swear or affirm that I am a citizen of the U.S., a resident of the State of Wis., and that on the day of the next election I shall be at least 18 years of age and shall have resided in the election district for 10 years and that I am legally qualified to vote — and if this be a change of address name that I am a registered voter in the City of Madison, that since the last year I have changed my address and/or name within said city and that I have lived at the address given for 10 days preceding this election in addition. It is on an election day that I am at least 18 years of age, have resided in the election district for 10 days and I have not voted at this election. Pursuant to Section 6.55 2 (A) (B)

(17) Signature of Voter X David Cooney

(18) Subscribed and sworn to before me X [Signature]

(The following affidavit must be completed only if the above is not signed before a registration officer or person authorized to administer or proof of residence is not furnished at the polls). Pursuant to Section 6.30 (4) If the undersigned, an elector residing in the City of Madison, subject to the penalties of Sec. 12.00, Wis. Stats., for false statements, certifies that the statements herein are true to the best of my knowledge.

(19) Witness X Street Address \_\_\_\_\_  
(20) Witness X Street Address \_\_\_\_\_

City Clerk  
 City-County Bldg.  
 Madison, WI 53710

SAUX33 06241281 RTN TO SENR  
 SAULIN PETER  
 1212 SPRING ST #14  
 MADISON WI 53701-0863  
 RETURN TO SENDER

345277

DO NOT FORWARD - Return Postage Guaranteed

Name Peter A. Savlin  
 Address 633 Langdon Apt. 14  
 Madison, WI ZIP 53703

|  |                                 |   |                |                             |       |
|--|---------------------------------|---|----------------|-----------------------------|-------|
| <input checked="" type="checkbox"/> New                                      | <input type="checkbox"/> Delete | ① WARD                                      | 31             | ④ VOTER REGISTRATION NUMBER | 34527 |
| Name Change  | - Clerk's Use -                 | ② DIST.                                     | 8              |                             |       |
| Reason: <input type="checkbox"/> Deceased <input type="checkbox"/> Left City | (date)                          |   |                |                             |       |
| ① LAST NAME  | FIRST NAME                      | MIDDLE INITIAL                              | ③ PHONE NO.    | ⑤ TODAY'S DATE              |       |
| Savlin   | Peter                           | A.  | 257-2644       | 2/17                        |       |
| HOUSE NO.  | STREET                          |   | APT. ROOM NO.  | DIST.                       |       |
| ⑦ 633  | ⑧ 633 Langdon                   |   | ⑥ #14          | ⑩ 480                       |       |
| ⑪ SOCIAL SECURITY NUMBER   | ⑬ DATE OF BIRTH                 | ⑭ PLACE OF BIRTH - CITY AND STATE           |                |                             |       |
| 357 66 14584   | MO 7 DAY 12 YR 63               | Chicago                                     |                |                             |       |
| ⑫ NATURALIZATION DATA (if not U.S. citizen by birth)                         | DATE                            | COURT                                       | CITY AND STATE |                             |       |
|  |                                 |   |                |                             |       |
| ⑮ FORMER NAME (if registered in Madison)                                     |                                 | ⑯ FORMER ADDRESS (if registered in Madison) |                |                             |       |

STATE OF WIS., CO. OF DANE, CITY OF MADISON AFFIDAVIT OF REG., CHG. OF ADDRESS/NAME  
 I hereby swear or affirm that I am a citizen of the U.S., a resident of the State of Wis., and that on the day of the next election I shall be at least 18 years of age and that I have resided in the election district for 10 years and that I am legally qualified to vote - and if this be a change of address, I affirm that I am a registered voter in the City of Madison, that since the last time I have changed my address and/or name within said city and that I have lived at the address given for 10 days preceding this election; and in addition, if this be an election day that I am at least 18 years of age, have resided in the election district for 10 days and I have not lived at this location. Pursuant to Section 6.30(14) Wis. Stats.

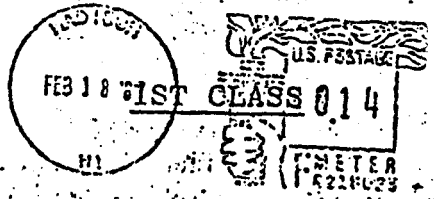
⑰ Signature of Voter X *Peter Savlin*  
 ⑱ Subscribed and sworn to before me X *[Signature]*

SIGNATURE OF REGISTRATION OFFICER OR PERSON AUTHORIZED TO ADMINISTER  
 (The following affidavit must be completed only if the above is not signed before a registration officer or person authorized to administer or proof of residence is not furnished at the polls) Pursuant to Section 6.30(14)  
 I, the undersigned, an elector residing in the City of Madison, subject to the penalties of Sec. 12.09, Wis. Stats., for these statements, certify the statements herein are true to the best of my knowledge.

⑲ Witness X Street Address \_\_\_\_\_  
 ⑳ Witness X Street Address \_\_\_\_\_

City Clerk  
 City-County Bldg.  
 Madison, WI 53710

||||  
 ||||  
 ||||  
 ||||



345447

**DO NOT FORWARD - Return Postage Guaranteed**

Name Michele A Mackinnis

Address 1107 Elizabeth St  
 /MAC 07 15190691 RTN TO SENDER  
 Madison, WI Z MACKINNIS MICHELE A  
 2204 MCKENNA  
 MADISON WI 53711-3912  
 RETURN TO SENDER

|  |  |                |   |                       |        |
|--|--|----------------|---|-----------------------|--------|
| <input checked="" type="checkbox"/> New              | Delete   | ① WARD         | 26  | VOTER REGISTRY NUMBER | 345447 |
| Name Change  | —Clerk's Use—  | ② DIST.        | 02  |                       |        |
| Address Change                                       | Reason: <input type="checkbox"/> Deceased <input type="checkbox"/> Left City |                |   |                       |        |
| ④ LAST NAME  | ⑤ FIRST NAME   | MIDDLE INITIAL | ⑥ PHONE NO.                                 | ⑦ TODAY'S DATE        |        |
| MACKINNIS  | MICHELE  | A              | 274-2965                                    | NOV 2 1971            |        |
| ⑧ HOUSE NO.  | ⑨ STREET   |                | ⑩ APT./ROOM NO.                             | ⑪ C.R. NO.            |        |
| 1107   | ELIZABETH ST   |                |   | 2542                  |        |
| ⑫ HOUSE NUMBER                                       | ⑬ DATE OF BIRTH  | ⑭ AGE          | ⑮ SEX                                       | ⑯ CITY AND STATE      |        |
| 388761285  | 4-22-60  | 41             | F   | OSTROSKA WI           |        |
| ⑰ NATURALIZATION DATA (if not U.S. citizen by birth) |  |                | ⑱ COURT                                     | ⑲ CITY AND STATE      |        |
|  |  |                |   |                       |        |
| ⑳ FORMER NAME (if registered in Madison)             |  |                | ㉑ FORMER ADDRESS (if registered in Madison) |                       |        |
|  |  |                |   |                       |        |

STATE OF WIS., CO. OF DANE, CITY OF MADISON AFFIDAVIT OF REG., CHG. OF ADDRESS/NAME  
 I hereby swear or affirm that I am a citizen of the U.S., a resident of the City of Madison, and that on the day of the next election I shall be at least 18 years of age and shall have resided in the election district for 10 days immediately preceding this election and that I am legally qualified to vote — and if this be a change of address/name that I am a registered voter in the City of Madison, that since the last voting I have changed my address and/or name within said city and that I have lived at the address given for 10 days immediately preceding this election. I am a citizen of the State of Wisconsin and I am at least 18 years of age, have resided in the election district for 10 days immediately preceding this election. Pursuant to Section 6.55 2(A) (B) I have not voted in this election.

⑲ Signature of Voter: *Michele Mackinnis*  
 ㉑ Subscribed and sworn to before me: *[Signature]*

If the following affidavit must be completed only if the above is not signed before a registration official or person authorized to administer oaths or proof of residence is not furnished at the polls. Pursuant to Section 6.55 2(A) (B) the undersigned, an elector residing in the City of Madison, subject to the penalties of Sec. 12.02, Wis. Stats., for false statements, certify that the statements herein are true to the best of my knowledge.

⑲ Witness X  
 ㉑ Witness X  
 Street Address  
 Street Address

City Clerk  
 City-County Bldg.  
 Madison, WI 53710

RIC 20 012516N1 02/25/87

RETURN TO SENDER  
 NO FORWARDING ORDER ON FILE  
 UNABLE TO FORWARD

DO NOT FORWARD - Return Postage Guaranteed

Name David B. Richardson  
 Address 323 Commercial Ave. Apt. \_\_\_\_\_  
 Madison, WI ZIP 53714

*Not at this address*

|  |   |                                   |                |                           |              |
|--|---|-----------------------------------|----------------|---------------------------|--------------|
| <input checked="" type="checkbox"/> New              | Delete  | ① WARD                            | 11             | VOTER REG. STATION NUMBER | 34547        |
| Name Change  | —Clerk's Use—   | ② DIST.                           | 17             | ③                         |              |
| Address Change                                       | Suspend Reason: <input type="checkbox"/> Deceased <input type="checkbox"/> Left City (date) |                                   |                | ④                         |              |
| ④ LAST NAME  | FIRST NAME  | MIDDLE INITIAL                    | ⑤ PHONE NO.    | ⑥                         | TODAY'S DATE |
| Richardson   | David   | B.                                |                |                           | 2/11         |
| HOUSE NO. 3230                                       | STREET  | APT./ROOM NO.                     | ⑦              | ⑧                         | DUR. NO.     |
| 3037   | Commercial Ave.   |                                   |                |                           | 1760         |
| ⑩ SOCIAL SECURITY NUMBER                             | ⑪ DATE OF BIRTH   | ⑫ PLACE OF BIRTH - CITY AND STATE |                |                           |              |
| 394-06-3439  | MO 3 DAY 4 YR 32  | Madison, Wisconsin 53714          |                |                           |              |
| ⑬ NATURALIZATION DATA (if not U.S. citizen by birth) | DATE  | COURT                             | CITY AND STATE |                           |              |
|  |   |                                   |                |                           |              |
| ⑮ FORMER NAME (if registered in Madison)             | ⑯ FORMER ADDRESS (if registered in Madison)   |                                   |                |                           |              |
|  |   |                                   |                |                           |              |

STATE OF WIS., CO. OF DANE, CITY OF MADISON

AFFIDAVIT OF REG., CHG. OF ADDRESS/NAME

I hereby swear or affirm that I am a citizen of the U.S., a resident of the State of Wis., and that on the day of the next election I shall be at least 18 years of age and shall have resided in the election district for 10 days and that I am legally qualified to vote — and if this be a change of address/name that I am registered in the City of Madison, that since the last voting I have changed my address and/or name within said city and that I have lived at the address given for 10 days preceding this election; in addition, if this be an election day that I am at least 18 years of age, have resided in the election district for 10 days and I am not under any legal disability. Pursuant to Section 6.552 (A), (B)

⑰ Signature of Voter X David B. Richardson  
 ⑱ Subscribed and sworn to before me X Cleo J. Meland

I, the following affidavit, as it is completed, and if the above signed by the voter and registered in Madison, or if the person authorized to administer the election, and if the affidavit is not filed at the City of Madison, pursuant to Section 6.552 (A), (B) of the Wisconsin Statutes, for the purpose of registration, an election, or any other purpose, in the City of Madison, subject to the penalties of the 10.00 Wis. Stats., for a statement, certain the statements herein are true to the best of my knowledge.

⑲ Witness X Street Address \_\_\_\_\_  
 ⑲ Witness X Street Address \_\_\_\_\_



City Clerk  
City-County Bldg.  
Madison, WI 53710



**DO NOT FORWARD - Return to Postage Guaranteed**

Name Ernie J. Sprenger  
Address 2616 Fairfield St. Apt. None  
Madison, WI ZIP 53704

|  |  |   |             |                |
|--|--|---|-------------|----------------|
| <input checked="" type="checkbox"/> New              | Delete   | ① WARD                                      | 19          | ③ 345503       |
| Name Change  | —Clerk's Use—  | ② DIST.                                     | 16          |                |
| Address Change                                       | Suspend Reason: <input type="checkbox"/> Deceased <input type="checkbox"/> Lon City (date) |   |             |                |
| ④ LAST NAME  | FIRST NAME   | MIDDLE INITIAL                              | ⑤ PHONE NO. | ⑥ TODAY'S DATE |
| Sprenger   | Ernie J.   |   | ✓           | 02/17/85       |
| ⑦ HOUSE NO.  | ⑧ STREET   | ⑨ APT. ROOM NO.                             | ⑩ DIR. NO.  |                |
| 2616   | Fairfield Pl   |   | 2736        |                |
| ⑪ SOCIAL SECURITY NUMBER                             | ⑫ DATE OF BIRTH  | ⑬ PLACE OF BIRTH - CITY AND STATE           |             |                |
|  | NO 9 DAY 2 YR 5  | Madison Anderson County                     |             |                |
| ⑭ NATURALIZATION DATA (if not U.S. citizen by birth) |  | DATE  | COURT       | CITY AND STATE |
|  |  |   |             |                |
| ⑮ FORMER NAME (if registered in Madison)             |  | ⑯ FORMER ADDRESS (if registered in Madison) |             |                |
|  |  |   |             |                |

STATE OF WIS., CO. OF DANE, CITY OF MADISON AFFIDAVIT OF REG. CHG. OF ADDRESS/NAME

I hereby swear or affirm that I am a citizen of the U.S., a resident of the City of Madison, Wis., and that on the day of the next election I shall be at least 18 years of age and shall have resided in the election district for 14 days that I am legally qualified to vote — and if this be a change of address, name that I am a registered voter in the City of Madison, Wisconsin, and that I have lived at the address given for 10 days preceding this election; in addition, if this be an election day that I am at least 18 years of age, have resided in the election district for 14 days and that I have not voted at this election. Pursuant to Section 8.25 2(A);(B)

⑰ Signature of Voter Ernie J. Sprenger  
⑱ Subscribed and sworn to before me Bernard J. Wingen

(The following affidavit must be completed only if the above is not signed before a registration officer or person authorized to administer oaths or proof of residence is not furnished at the polls). Pursuant to Section 8.30(4) I, the undersigned, an elector residing in the City of Madison, subject to the penalties of Sec. 12.60, Wis. Stats., for false statements, certify that the statements herein are true to the best of my knowledge.

⑲ Witness X Street Address \_\_\_\_\_  
⑲ Witness X Street Address \_\_\_\_\_

VERIFICATION OF ADDRESS

Per Sec. 6.56(3) of the Wisconsin Statutes, this postcard is verification that the voter registration list in the City Clerk's Office and the name and address on the reverse side of this card is correct.

Madison City Clerk's Office  
266-4601

# If everyone had voted — Bush would've won

By The New York Times

What if they gave an election and everybody came? If all the people who didn't vote in 1988 had done so, according to the latest New York Times-CBS News Poll, the victor would have been — George Herbert Walker Bush.

The main difference: in an election with a turnout of 100 percent, Bush's margin would have been greater than it was in the actual contest, in which only half the eligible voters went to the polls.

On Nov. 8, Bush defeated Gov. Mike Dukakis of Massachusetts by about 8 percentage points, or 54

percent to 46 percent of the major party vote. The poll estimated that if everyone had voted, Bush would have won by about 11 points.

The survey found that Bush would have been helped by a bigger turnout since the vast majority of non-voters were young.

Three-quarters of the non-voters were under the age of 45 and two-fifths were under 30. These young non-voters would have chosen Bush by a much bigger margin than the rest of the country, and were more pro-Bush than the young people who actually voted.

Why didn't the non-voters vote?

Thirteen percent of them said they were too busy, 9 percent said they disliked the candidates, 4 percent said their votes would just have canceled out their spouses' votes and 4 percent said they didn't care.

But by far the most important reason, given by 37 percent, was that they could not vote because they were not registered.

By a 3-to-1 margin, those who are unregistered think the election laws should be changed to make it easier for people to vote. Changing the registration laws could make a real difference in turnout, the survey suggested.

EXHIBIT

DATE

HB

4  
2-19-89  
724

February 17, 1988

TESTIMONY IN SUPPORT OF HOUSE BILL 724

The Rainbow Coalition in Montana strongly supports any legislation that leads to greater participation in the electoral process. We think that this is what House Bill 724 will do. We know that there will be some objections to this piece of legislation, but we urge you to keep one thing clearly in mind and that is, will this legislation enhance the exercise of democracy here in the State of Montana. I would suggest to you, Madam Chair and members of the committee that the answer is clearly yes.

1. The filing out of a voters registration form along with a drivers license application is a matter of minutes.
2. Designing and putting into use a standard mail registration form is a step in the direction of increased efficiency and will expedite procedures within the system.
3. Election day registration is another step in the right direction. An individual may appear at the county registrars office, identify themselves and receive a certificate entitling them to vote at the appropriate voting place. This will increase voter participation.
4. Allowing a registered voter to register a qualified citizen in any county of Montana, not just their own county, will help individuals and organizations who make it a point to register people.
5. Purging the voter roles after the second general election that the voter does not participate in will allow people, who are otherwise eligible to vote to do so. This also will tend to increase voter participation. For those of you who may be concerned about school bond elections, I would bring to your attention House Bill 514 which is designed to remedy that problem and has been approved by the House Committee on Education and Cultural affairs and is up for 2nd reading in the House today.

Madam Chair, members of the committee there is probably no such thing as a perfect piece of legislation. Some one, some where will always be unsatisfied with all or a portion of it. That is probably the case with this bill, however the bottom line here is that House Bill 724 will increase the registration of those eligible to vote, enhance the democratic process in our state by removing barriers to voting and allow them, who for what ever reason have not registered to vote by election day, to do so.

Joseph Moore  
Legislative Coordinator  
Montana RAinbow Coalition  
58 S. Rodney, Helena Mt.



EXHIBIT 6  
DATE 2-17-89  
HB 724

JAMES W. MURRY  
EXECUTIVE SECRETARY

110 WEST 13TH STREET  
P.O. BOX 1176  
HELENA, MONTANA 59624

(406) 442-1708

Testimony of Don Judge before the House State Administration Committee on House Bill 724, February 17, 1989

Madam Chair and members of the Committee, for the record, I am Don Judge representing the Montana State AFL-CIO in strong support of House Bill 724 which would institute poll booth registration in Montana.

As many of you may know, the AFL-CIO conducts active efforts each election year to make certain that our members are registered to vote and that they get to the polls on election day. We believe that participating in our country's democratic process is not only a privilege, but a duty as well. To have every American who is eligible to vote actually do so on election day is a goal of our organization. Unfortunately, the facts on voter turnout make this goal a distant one at best.

~~During the last general election,~~ the United States recorded the lowest voter turnout -- approximately 53.58% -- in a survey of elections held in 28 democratic countries between 1969 and 1986. Of the 143 international elections included in the survey, nine analyzed from the United States were ranked among the worst 13 of all 143 elections. This is particularly disturbing considering the pride we take in being the first and foremost democracy.

On the other hand, Montana's record of voter turnout is to be envied in the face of these statistics. Montana ranked fourth in the nation during this past election. However, we do not measure up to our neighbors in North Dakota who recorded an impressive 95% registration and 73% turnout at the polls. Why have our neighbors outdistanced us in registration and voter turnout? The answer is the poll booth registration which they adopted in 1987. When voters are able to register and vote, they are more likely to exercise this important responsibility.

For these reasons and because we would sincerely like to turn out more voters than our neighbors to the east, we support House Bill 724 and urge a favorable recommendation from this committee.

Thank you.

# FERGUS COUNTY

## STATE OF MONTANA

Lewistown, Montana 59457

EXHIBIT 6A  
DATE 2-17-89  
HB ~~724~~ 724

Date: Feb. 16, 1989

To: House Administration Committee

From: Debbie L. Pallett  
Clerk & Recorder  
Election Administrator

RE: HOUSE BILL #724

I would like to testify against HB#724 an act providing for election day registration... my concerns are as an County Election Administrator for Fergus County. As I have reviewed the draft of HB#724, I am sure that the legislature should be aware of the extremely low occurrence of voter fraud in Montana. This should be compared to same day registration state such as North Dakota. Registration of elector as Montana's current law has a great deal to do with that statistic.

I think that there should be a residence restriction such as 30 day residency for the purpose of voting. I do not believe that any undue hardship exist to new electors to compliance with registration laws.

Numerous areas of this bill cause concern to the absentee voting procedure. For instance the process of challenging an absentee ballot (13-2-404), that a challenge is no later than 20 days prior to the election. Under this bill the voting rolls would be prepared 20 days prior to election and this allows no time for electors to challenge another electors right to vote.

I plead with you do not pass this bill through committee to the floor.

In more detail my concerns are as follows:

New Section Section 1. Election day registration. The registrar shall accept registrations of applicants who appear in person on election day. ... Only one certificate may be issued to any person.

QUESTION WHICH APPEARS TO ME, IS REGISTRAR THE ELECTION ADMINISTRATOR? DEPUTY REGISTRARS AS DEFINED UNDER 13-2-102,MCA? If it would include more than the election administrator for that county, there would be no way to know if more than one certification had been issued.

WHO APPEARS ON ELECTION DAY? Does this mean that only the day of election would certifications be issued? Thus someone wishing to vote in one of Fergus County's rural precincts, would need to travel an hour to the courthouse to obtain the certificate and return an hour to that pollsite to vote?

THIS SECTION DOES NOT CLEARLY STATE THAT THE PERSON WHO APPEARS ON ELECTION DAY IS TO COMPLETE A VOTER REGISTRATION CARD.

WOULD THIS BE ALLOWED IN ALL ELECTIONS, SUCH AS SCHOOL ELECTIONS, WHERE THE COUNTY ELECTION ADMINISTRATOR IS NOT ALWAYS THE ELECTION ADMINISTRATOR OF THAT ELECTION? OR WOULD THAT SCHOOL CLERK ISSUE THAT CERTIFICATE?

It assumes that the elector would be placed in a voting site. Currently voters are processed into the proper voting districts by the county election administrator. During the General Election 1988, my office processed cards which were received on the final day of closing and ones postmarked on the final day, that took about seven working days due to the number of registrations. These cards are placed and cross checked for voting districts; if HB#724 was enacted additional staffing on election day would be required to process cards. Due to budget reductions and General Election day always being a holiday, I believe this to be an undue hardship on local government. If county election administrators would have to remain open until 8:00 p.m. on school election day to allow persons to register under Section 1, again it would add to staffing costs.

Section 2. 13-2-102(2) (d) Any employee of the department of justice motor vehicle division may be appointed a deputy registrar.

QUESTION-DOES THIS MEAN APPOINTED AS PROVIDED UNDER SUBSECTION (a) BY THE GOVERNING BODY OF EACH COUNTY? I believe that it is important to have trained deputy registrars and would these employees of the department of justice motor vehicle division need to be trained and/or appointed?

Section 3. 13-2-202(3) by filling out the voter registration portion of a driver's license application.

QUESTION- FILLING OUT THE FORM REGISTERS SOMEONE? Does the form have to be turned into anyone? Is this only when an employee of the department of motor vehicles is a deputy registrar? Does the information have to be forwarded to and received by the county election administrator? Fergus County has had several problem areas during the five years which I have served as Clerk & Recorder involving elections. All of them are related to out-of-office voter registration cards and persons registering them. The card normally are not complete; some have not had an address, name, signature missing, if it's on the form it has been omitted. But even of more concern to me are the cards which potential electors say they have completed and not be remitted to this office by third parties. These cause the potential electors to be the loser and the front line is the county election administrator. I do not accept the idea that 'filling out the voter registration portion of a driver's license application' would be any better than any other out of office registration. How will these form be remitted to the county of residence? Cards are often lost in the mail. Reminding you that a driver licenses can be obtained any where in the state.

Section 4. 13-2-203(2) ...a standard mail registration form must be designed ...and used by all election administrators.

THERE IS A PRESCRIBED FORM BY THE SECRETARY OF STATE AT THE CURRENT TIME. THAT FORM IS USED BY VARIOUS COUNTIES, SMALLER COUNTIES USE THE FORM AND SAVES THEM PRINTING COSTS. BUT LARGER COUNTIES PRINT THEIR OWN DUE TO THE FACT THAT THEY MAY HAVE MORE VOTING DISTRICTS THAN THE PRESCRIBED FORM, AND SAVINGS IN LATER PROCESSING COSTS FOR THOSE OFFICES.

13-2-203(3) ... the registered voter (delete: in the county) who shall witness the facts stated on the registration form.

IF 'IN THE COUNTY' WOULD BE DELETED IT WOULD ALLOW ANY REGISTERED VOTER IN MONTANA, OR ANYWHERE IN THE UNITED STATES SIGN THE OATH WITNESSING A VOTER REGISTRATION. I THINK THAT THE WITNESS IS IMPORTANT AS A PROTECTION AGAINST FRAUD. THE CURRENT VOTER REGISTRATION SEEMS TO BE EFFECTIVE ALLOWING COUNTY ELECTORS TO REGISTER ANYONE IN THEIR COUNTY AND DEPUTY REGISTRARS TO REGISTER ELECTORS ALL OVER MONTANA.

13-2-203(4) ...(delete: and must be returned to the administrator no later than 15 days ....)

THIS HAS BEEN A PROTECTION TO PERSONS REGISTERING OUTSIDE THE OFFICE TO PROTECT TO ASSIST IN HAVING THE CARDS TURNED IN TO BE PROCESSED. THE NEWLY REGISTERED VOTER SHOULD HAVE SOME PROTECTION THAT THEIR CARD IS GOING TO BE PROMPTLY REMITTED TO THE COUNTY ELECTION OFFICIAL.

Section 5. 13-2-301 Preparation of voting rolls--The election administrator shall prepare the official precinct register 20 days before an election.

I AM NOT SURE THE PURPOSE TO ORDER THE OFFICIAL REGISTER AT THIS TIME (20 DAYS PRIOR TO ELECTION). ON WHAT DAY DOES THE ELECTION ADMINISTRATION STOP PROCESSING VOTERS REGISTRATION TO BE ABLE TO PREPARE BY THE 20 DAY BEFORE AN ELECTION? WOULD THIS VARY COUNTY TO COUNTY?.

Section 6. 13-2-302 Registration immediately before an election. ... the official precinct register is being prepared, and ...

I UNDERSTAND THAT THIS STATES THAT PERSONS REGISTERING AFTER OFFICIAL REGISTER PREPARED WILL HAVE THEIR CARDS PROCESSED AFTER THE ELECTION. BUT THAT THEY MAY VOTE UNDER SECTION 1, WHICH IS TO APPEAR BEFORE THE REGISTRAR WHO WILL ISSUE A CERTIFICATION TO VOTE. IF THIS OCCURS THE REGISTRATION OF SECTION 6 WOULD BE CANCELLED. THIS SECTION HAS COMPLETELY CONFUSED ME. NOT SURE WHAT IT HAS INTENDED.

Section 7. 13-2-401 Cancellation of registration for failure to vote  
(a) ... in the last two presidential election in each precinct...



I BELIEVE THAT THIS IS TOO LONG BEFORE CANCELLING VOTERS REGISTRATION. EIGHT YEARS ON THE ROLLS, FERGUS COUNTY CANCELLED ABOUT A QUARTER OF IT'S ELECTORS FOR FAILURE TO VOTE IN 1988. DISTRICTS WISHING TO PASS BOND ISSUES ARE REQUIRED TO TURN OUT A PERCENTAGE OF THE TOTAL VOTERS FOR APPROVAL OF THE ELECTION. IT IS CONSIDERED THAT EVERY FOUR YEARS IS TOO LONG, EIGHT WOULD BE EVEN WORSE.

I HAVE A FURTHER QUESTION ABOUT CURRENT 13-2-207 NOTICE OF REGISTRATION (2) The election administrator must investigate the reason for the return of any mailed notice and correct the address on the registration form and mail a new notice or cancel the registration of the elector if a diligent effort fails to locate the elector named on the registration form.

This section of law would be continued for electors registering in the current law, but it has not been addressed under the changes proposed in the bill. Would there be need to mail for same day registration?

I appreciate your time and consideration of this complex issue. I would wish to ask for your assistance in defeating this bill. Thank you.

*Julie A. Pallott*



"Under The Orange Awning"

RECEIVED  
FEB 17 1989  
GOVERNOR'S OFFICE  
HELENA, MONTANA

Telephone Number of Sending Machine 406-538-2185

DATE: 2-17-89

TO: House Admin  
Capital Station  
Helena MT 59620

FAX #: ~~444-4800~~ 444-5529

FROM: Debbie Pallett  
Clerk & Recorder  
712 W MAIN  
Lewistown MT

- 4858

We are sending you 5 pages, plus this page.

Please ( ) deliver to above addressee  
or ( ) call addressee at \_\_\_\_\_

For tracking purposes, please attach the activity report to this document and give to your fax coordinator.

EXHIBIT

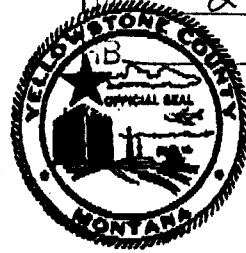
P.2/2

6B

DATE

2-17-89

724



# County of Yellowstone

ELECTION ADMINISTRATOR

P.O. Box 36002  
Billings, Montana 59107

February 16, 1989

Representative Jan Brown, Chair  
State Administration Committee  
State Capitol Building  
Helena, MT 59620

Dear Representative Brown:

I strongly urge your support in defeating H.B. 724. While there are numerous practical problems with implementing this bill, my immediate concern is for increased costs to the counties. The last General Election in Yellowstone County cost over \$70,000. Passage of this bill could double this amount.

Major concerns with passage of H.B. 724 are:

1. If there is no close of registration, how will the electors who register by mail up to election day be notified as to their polling place? What will they use for authorization to vote?
2. This county cancelled over 18,000 voters in the last presidential election. Many of these people had moved and failed to notify us. What effect will carrying double this amount for 8 years have on a bond election?
3. Our present system of rotating names of candidates on ballots would be impossible due to the constant change in registration of eligible voters.
4. If the cancellation process is based on the names in the Official Registers, but hundreds, perhaps thousands of names are not in the Register, can you imagine the potential for voters cancelled in error?

While I could go on for pages with the problems I foresee with this bill, in order to be succinct, I merely ask that you review the bill and contact the election officials in the larger counties if not all counties.

Thank you for your support. Should you have any questions, I can be reached at 256-2740.

Sincerely yours,

*Peggy J. Zielie*  
Peggy J. Zielie  
Election Administrator

Montana

Association of Churches



EXHIBIT 7

DATE 2-17-89

MONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

February 17, 1989

**WORKING TOGETHER:**

American Baptist Churches  
of the Northwest

**CHAIRWOMAN BROWN AND MEMBERS OF THE HOUSE STATE ADMINISTRATION  
COMMITTEE:**

My name is Mignon Waterman and I am speaking on behalf  
of the Montana Association of Churches.

Christian Churches  
of Montana  
(Disciples of Christ)

The Montana Association of Churches believes there is  
no more important political or moral question facing  
the religious community and the world than that of  
human survival in the face of nuclear armaments and the  
threat of a nuclear holocaust.

Episcopal Church  
Diocese of Montana

The willingness to destroy life everywhere on earth,  
for the sake of our security, is at the root of many  
other terrible trends in our country. It is creating  
an undertone of despair and doom that saps our energy  
and kills our dreams for the future.

Evangelical Lutheran  
Church in America  
Montana Synod

The arms race issue enters all of our lives in yet  
another way. We are the ones who must pay for these  
costly weapons. As a consequence, we diminish our  
ability and willingness to respond to the just cries  
of people everywhere for food, housing, medical care  
and education. We must address these just human  
needs.

Presbyterian Church (U. S. A.)  
Glacier Presbytery

The Montana Association of Churches urges your support  
of HJ27.

Presbyterian Church (U. S. A.)  
Yellowstone Presbytery

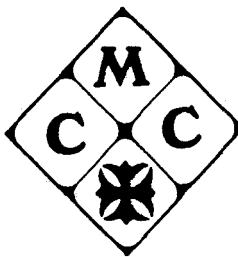
Roman Catholic Diocese  
of Great Falls - Billings

Roman Catholic Diocese  
of Helena

United Church  
of Christ  
Mt.-N. Wyo. Cont.

United Methodist Church  
Yellowstone Conference

EXHIBIT 8  
DATE 2-17-89  
HSR 27



# Montana Catholic Conference

February 17, 1989

CHAIRPERSON BROWN AND THE HOUSE STATE ADMINISTRATION COMMITTEE

I am John Ortwein, representing the Montana Catholic Conference.

While every nation has the right and duty to defend itself against unjust aggression, Catholic teaching begins in every case with a presumption against war and for peaceful settlement of disputes. The global threat of nuclear war is intensified by increased military budgets and new strategic weapons systems. The National Conference of Catholic Bishops in their 1983 Pastoral Letter, "The Challenge of Peace," declared, "We urge negotiation to halt testing, production, and deployment of new nuclear weapons system." The Bishops also raised a vital question: How does one justify the fact that huge sums of money, which could and should be used for human development, are instead utilized to increase arms stockpiles and enlarge the coffers of defense contractors? In this time of enormous budget deficits that threaten the stability of our nation, we must urge our leaders to trim military spending and halt the deployment of new weapons systems.

As Pope John Paul II has stated, peace is not just the absence of war. It is instead found in the well-being and dignity of all people. The Montana Catholic Conference urges you to support HJR 27.



EXHIBIT 8A

DATE 2-17-89

HBJR 27

2/20/89

Dear House State Administration Committee members,

I'm writing you to encourage a "do pass" recommendation on HJR 27. This resolution requests a decrease in military spending in favor of reducing the federal deficit and alternative government programs. I'm sure two questions are raised in your thoughts: "Is this a wise policy?" and "Is this any of the Montana legislature's business?"

To the first question, I believe the verdict is in - absolutely, yes. Unquestioned is the danger our enormous federal deficit poses to ourselves and future generations. Depending on how you crunch the numbers, military spending has created between 25 and 50 percent of this problem. Federal austerity is patently impossible without military cuts, as well as cuts in other programs. This is especially true of President Bush carries through on his pledge of "no new taxes."

Also, it's widely recognized that military spending creates fewer jobs than alternative choices, steals scientist and technicians from private business, and contribute to inflation. It's no accident that Japan and West Germany, with far lower military spending, are economically healthier than the U.S. No one doubts that imprudent military spending has brought on the Soviet Union's severe economic problems and consumer shortages.

Finally, I believe that the Montana legislature has a responsibility to speak on this issue. Federal spending

EXHIBIT 8A

DATE 2-17-89

HB HSR 27

2

and economic policies have a profound effect on Montana citizens. It's simple, if civilian spending is cut or taxes are raised, Montanans suffer. If the economy is weaker than it would otherwise be, Montanans suffer. So, your support for this resolution is a specific and direct statement of support for Montanans well being. You can be confident that such a statement has an effect, too. To cite one example, the recent easing of the cold war could not have been achieved without mass US citizen support as expressed by state and local government actions, as well as organizational and individual outcry.

Whether recent moves toward world peace came because President Reagan was forced to take steps he disliked, or because he received support for ideas he cherished, is immaterial. The result is not. Please support HSR 27.

Sincerely,  
Butch Turk  
514 Sherwood St.  
Missoula, MT  
59802

Amendments to House Bill No. 708  
First Reading Copy

For the Committee on House State Administration

Prepared by Eddy McClure  
February 15, 1989

1. Title, line 6.  
Following: "39-51-303"  
Insert: "AND 39-73-102"

2. Title, line 7.  
Strike: "39-73-102,"

3. Page 1.

Following: line 18

Insert: "Section 2. Section 39-73-102, MCA, is amended to read:

"39-73-102. Administration -- duties of division. The division of workers' compensation shall administer this chapter. The division shall:

(1) formulate a plan and adopt rules for the operation of this chapter;

(2) cooperate with the federal government in all matters of immediate concern pertaining to silicosis;

~~(3) publish an annual report and interim reports as may be necessary or required or asked for by the governor;~~

~~(4)~~ (3) designate the procedure to be followed in securing a competent medical examination for the purposes of determining silicosis in each individual applicant;"

~~(5)~~ (4) designate suitable physicians or physicians, well qualified to examine applicants for aid under this chapter;

~~(6)~~ (5) pay the actual transportation expenses of any applicant from the place of his residence in the state to the place of examination and return, from funds appropriated to the division for that purpose;

~~(7)~~ (6) develop and cooperate with other agencies in developing measures for the prevention of silicosis.""

Renumber: subsequent section

4. Page 1, line 20.  
Strike: "39-73-102,"



EXHIBIT 10  
DATE 2-17-89  
HB 612

Amendments to House Bill No. 612  
First Reading Copy

Requested by Representative Fred Thomas  
For the House Committee on State Administration

Prepared by Lois Menzies  
February 16, 1989

1. Title, lines 8 and 9.  
Strike: "AN" on line 8 through "TO" on line 9
2. Title, line 9.  
Strike: "CERTAIN"  
Insert: "LEGISLATIVE"  
Strike: "OR"  
Insert: "MAY RECEIVE FROM"
3. Title, lines 9 and 10.  
Strike: "COMMITTEE" on line 9 through "BEHALF" on line 10  
Insert: "COMMITTEES"
4. Title, line 11.  
Strike: "13-37-216"  
Insert: "13-37-218"
5. Page 7, line 11 through page 9, line 5.  
Strike: section 2 in its entirety  
Insert: "Section 2. Section 13-37-218, MCA, is amended to read:  
"13-37-218. Limitations on receipts from political committees. A candidate for the state senate may receive no more than ~~\$1,000~~ \$2,000 in total combined monetary contributions from all political committees contributing to his campaign, and a candidate for the state house of representatives may receive no more than ~~\$600~~ \$1,200 in total combined monetary contributions from all political committees contributing to his campaign. The foregoing limitations shall be multiplied by the inflation factor as defined in 15-30-101(8) for the year in which general elections are held after 1984; the resulting figure shall be rounded off to the nearest \$50 increment. The commissioner of political practices shall publish the revised limitations as a rule. In-kind contributions may not be included in computing these limitation totals. The limitation provided in this section does not apply to contributions made by a political party eligible for a primary election under 13-10-601."

EXHIBIT 11  
DATE 2-17-89  
HB 612

**CAMPAIGN CONTRIBUTIONS TO THE 1988  
MONTANA LEGISLATIVE RACES:  
THE EFFECT OF MONTANA'S PAC LIMIT LAW**

**TERRI L. MCBRIDE**

**FEBRUARY 1989**

**Common Cause/Montana  
P.O. Box 623  
Helena, Montana 59624  
(406) 442-9251**

1988 LEGISLATIVE CAMPAIGN CONTRIBUTIONS

Figure #1 shows a breakdown of the total contributions for the last six Montana legislative races, beginning in 1978. This chart shows while the percentage of special interest PAC contributions to all contributions has decreased the total amount of PAC contributions has continued to increase.

FIGURE #1CONTRIBUTIONS TO MONTANA LEGISLATIVE RACES, 1978-88

|   | 1978      | 1980      | 1982      | 1984      | 1986      | 1988      |
|---|-----------|-----------|-----------|-----------|-----------|-----------|
| Total Contributions   | \$382,140 | \$582,708 | \$635,596 | \$792,729 | \$820,623 | \$942,592 |
| Special Int. PAC Contrib.   | 48,777    | 111,330   | 122,767   | 109,634   | 112,615   | 110,841   |
| PAC In-Kind Contributions   | 0         | 0         | 0         | 26,214*   | 16,426*   | 23,917*   |
| Total PAC Contributions   | 48,777    | 111,330   | 122,767   | 135,848   | 129,041   | 134,758   |
| % PAC Contributions (includes in-kind) as % of total contribution | 12.8%     | 19.1%     | 19.3%     | 17.1%     | 15.7%     | 14.3%     |

\*It should be noted that this in-kind amount does not include the value of services provided to Montana legislative candidates by the paid staff of political committees other than political parties. (Political parties are excluded from the PAC limit law.) There is difficulty in monitoring this type of contribution. A candidate must accept all cash or in-kind contributions described in his or her report but the candidate may not even know of the activities of a paid staff member of a political committee who conducted a poll of voters in his or her district until after the poll has been completed. The poll results may be of benefit to the candidate but how should the cost of the poll be reported? Because of this type of difficulty past Commissioners of Political Practices have declared this type of paid services as volunteer services which need not be reported as a PAC contribution. As of the date of this report it is estimated that another \$20,000 to \$50,00 in special interest PAC "paid services" activities are not being reported at all as donations to candidates and therefore are not included in any PAC limits.

PAC CONTRIBUTIONS TO THE 1988 LEGISLATIVE RACES

During the 1988 legislative campaign 43 of 47 senate candidates accepted PAC money for an average of 91% acceptance of contributions. Senate Republican figures show 21 of 22 candidates accepted PAC money for an average of 95%. Senate Democrat figures show an acceptance of 96% with 22 of 23 candidates taking PAC donations.

In the House legislative races 145 of 174 candidates accepted PAC money for an average of 83% acceptance. House Republican figures show 73 of 85 candidates accepted contributions for an average of 86%. House Democrat figures show an acceptance of 82% with 72 of 88 candidates accepting contributions.

FIGURE #4

TOP TEN SENATE ACCEPTORS OF PAC CONTRIBUTIONS

| name                    | district party | in-kind / cash   | PAC contrib. as |                          |
|-------------------------|----------------|------------------|-----------------|--------------------------|
|                         |                |                  | total           | % of total contributions |
| 1.Sen. William Farrell  | SD 31 (R)      | \$3450 \$1350    | \$4800          | 37%                      |
| 2.Sen. Gene Thayer      | SD 19 (R)      | \$1375 \$1300    | \$2675          | 22%                      |
| 3.Sen. Tom Hager        | SD 48 (R)      | \$1125 \$1350    | \$2475          | 59%                      |
| 4.Sen. Esther Bengtson  | SD 49 (D)      | \$1100 \$1250    | \$2350          | 27%                      |
| 5.Sen. John G. Harp     | SD 4 (R)       | \$ 725 \$1300.66 | \$2025.66       | 17%                      |
| 6.Sen. Gerry Devlin     | SD 13 (R)      | \$ 545 \$1300    | \$1845          | 42%                      |
| 7.Sen. Dennis Nathe     | SD 10 (R)      | \$ 518 \$1300    | \$1818          | 16%                      |
| 8.Sen. Thomas Keating   | SD 44 (R)      | \$ 426 \$1349.66 | \$1775.66       | 42%                      |
| 9.Sen. Bob Williams     | SD 15 (D)      | \$ 425 \$1350    | \$1775          | 29%                      |
| 10.Sen. "Swede" Hammond | SD 9 (R)       | \$ 200 \$1350    | \$1550          | 42%                      |

FIGURE #5

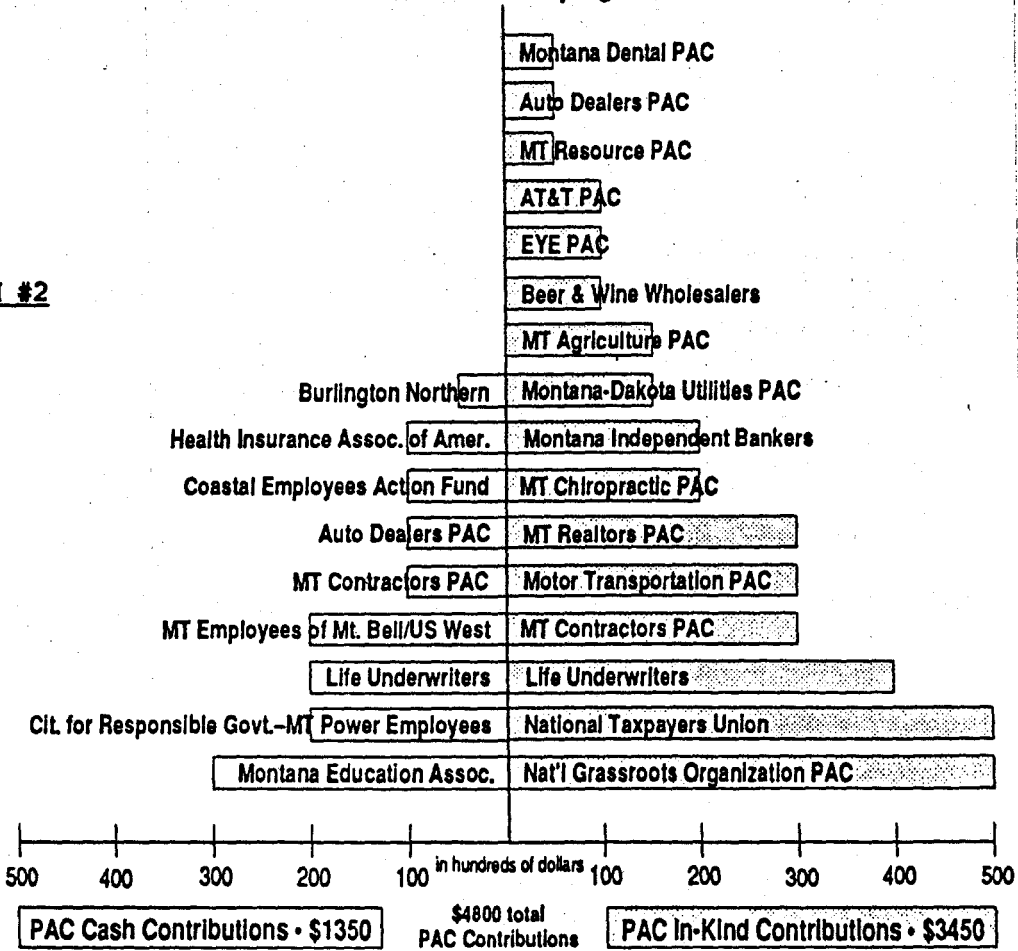
## TOP TEN HOUSE ACCEPTORS OF PAC CONTRIBUTIONS

| NAME                  | DISTRICT/ PARTY | IN-KIND / CASH  | PAC contrib. as |                          |
|-----------------------|-----------------|-----------------|-----------------|--------------------------|
|                       |                 |                 | TOTAL           | % of total contributions |
| 1.Rep. R. Budd Gould  | HD 61 (R)       | \$1375 \$800    | \$2175          | 14%                      |
| 2.Rep. Norm Wallin    | HD 78 (R)       | \$1125 \$800    | \$1925          | 23%                      |
| 3.Rep. Tom Hannah     | HD 86 (R)       | \$ 950 \$775.66 | \$1725.66       | 64%                      |
| 4.Rep. Thomas Nelson  | HD 95 (R)       | \$ 550 \$800    | \$1350          | 27%                      |
| 5.Rep. Ed Grady       | HD 47 (R)       | \$ 525 \$800    | \$1325          | 10%                      |
| 6.Rep. Jim Rice       | HD 43 (R)       | \$ 550 \$775    | \$1325          | 10%                      |
| 7.Rep. Richard Nelson | HD 6 (R)        | \$ 425 \$800    | \$1225          | 20%                      |
| 8.Rep. Robert Marks   | HD 75 (R)       | \$ 350 \$725    | \$1075          | 19%                      |
| 9.Rep. John Patterson | HD 97 (R)       | \$ 325 \$725    | \$1050          | 49%                      |
| 10. Harold Poulsen    | HD 39 (D)       | \$ 250 \$800    | \$1250          | 24%                      |

Graphs #2 and #3 on the next page illustrate how two candidates received PAC money. The graphs show who the contributors were, the cash PAC contributions and PAC "in-kind" contributions. The two candidates were chosen because they were the top PAC contribution acceptors for the Senate for each major political party.

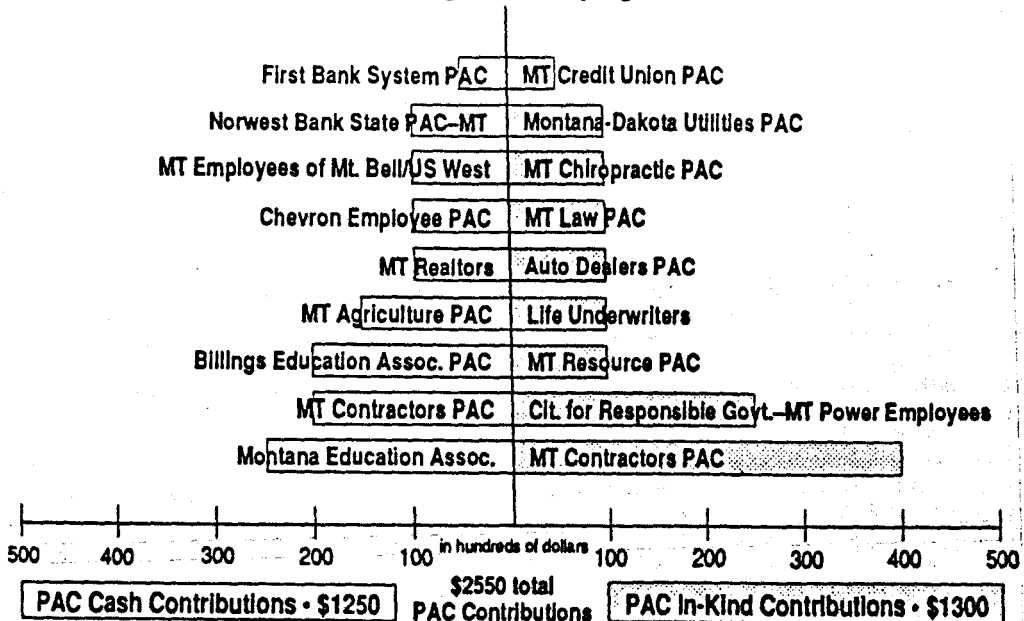
William Farrell Campaign • SD 31

GRAPH #2



GRAPH #3

Esther G. Bengtson Campaign • SD 49



limit and only 31 candidates went over the cash limit by utilizing "in-kind" donations.

The following figure shows the top ten PAC contributors of "in-kind" donations. This is important as many PACs are also exploiting the loophole in order to influence candidates to an even greater degree. When PACs are limited in the amount of money that can be donated to a single candidate then the PACs influence is also limited. By donating "in-kind" PACs can successfully avoid the limits and donate unlimited amounts to a campaign.

FIGURE #9

TOP TEN PACS WHO MADE IN-KIND CONTRIBUTIONS IN 1988

| NAME  | Contribution |
|---|--------------|
| 1.Life Underwriters PAC                                   | 3,050        |
| 2.MT Contractors PAC                                      | 2,950        |
| 3.MT Employees of MT Bell/U.S. West                       | 2,200        |
| 4.Realtors PAC MT   | 1,952.90     |
| 5.Citizens for Responsible Govt-<br>Employees of MT Power | 1,325        |
| 6.BACK PAC (Chiropractors)                                | 920          |
| 7.MT Agricultural PAC                                     | 825          |
| 8.Independent Bankers Assn.                               | 600          |
| 8.Beer and Wine Wholesalers PAC                           | 600          |
| 10.Norwest State PAC MT                                   | 550          |

## CONCLUSION

With the increase in overall PAC contributions and the data collected for this report it is evident that PACs continue to play a significant role in the campaigning efforts of Montana's legislative candidates. However, it is a positive trend that the PAC limitation law is successful. The percentage of PAC contributions in the total amount of contributions to Montana legislative campaigns is holding steady. This trend is opposite of the national trend of increasing PAC influence in national and state legislative races. This trend was brought about by the implementation of PAC limits. But, there are still problems that must be addressed concerning PAC contributions.

The major concern to arise from these findings is the continued use of "in-kind" contributions which are not limited by the PAC limit law. It is important to note that almost all of the candidates who used the in-kind loophole received enough funds to exceed the PAC cash limit.

During the 1989 session Common Cause is working with legislators to find a workable solution to this problem. In order for financing laws to be improved and be fair to all candidates, all campaign spending must be disclosed and all PAC loopholes closed. Only by doing this can this problem be corrected so that neither party is more affected than the other.

Finally, even though there are still conflicts to resolve, this study shows some advances have been made in curbing the excessive influence of special interest groups. Montana has taken steps to control excessive spending by such measures as campaign spending law, an independent Commissioner of Political Practices and the cooperative spirit of those people who take part in the legislative process. By these steps and continued



efforts, Common Cause will continue to support reforms aimed to promote open political campaigns where the vote of the individual, not the money of the special interest group is the most influential part of the campaign.

EXHIBIT 12  
DATE 2-17-89  
HB 612

**THE LEAGUE OF WOMEN VOTERS OF MONTANA** 17 FEB 89  
Joy Bruck, president  
1601 Illinois, Helena, Montana 59601

HB 602: An act generally revising laws regarding campaign finance; revising the definition of "contribution" and "expenditure" to include in-kind contributions and in-kind expenditures;...

The League of Women Voters of Montana supports HB 602 without addressing the proposed changes in the limitations on contributions.

As the television ad about chicken nuggets says, "Parts is parts." So it is in building a political campaign. All contributions of value should be disclosed, and all expenditures made to further a campaign should be disclosed. The fact that the contributions and expenditures may not be in cash or check form does not mean that they do not have value for the candidate or ballot issue committee. The unreported rolls of postage stamps, third party payments of printing or advertising expenses, and other examples of unreported in-kind goods and services mislead the public and skew the picture of campaign finance in Montana.

The League appreciates those candidates and political committees who have taken pains to account for their in-kind contributions and expenditures. The passage of HB 602 would assure voters that all candidates and political committees would treat these resources in the same fashion by disclosing them fully.

The League of Women Voters of Montana is not commenting on the portions of this bill that deal with campaign contribution limitations.

Margaret S. Davis  
816 Flowerree Street  
Helena, Montana 59601  
443-3487

13  
2-17-89  
612

## Testimony on HB 612 Concerning Campaign Finance and Reporting February 17, 1989

Madame Chair and Members of the committee, my name is Don Reed and I am the Executive Director of the Montana Committee for an Effective Legislature, or MontCEL. I appear as a supporter of parts of the bill before you today. While we support the bill, I also have critical comments to offer. This is not an attempt to be cute or cagey. We generally support the bill, but do want to alert the committee to several possible problems.

MontCEL is a coalition political committee in existence for over ten years. We routinely report our income and expenses to the Commissioner of Campaign Practices. Paperwork is never fun, but we support the principles of good government and campaign disclosure. We believe that "PAC" does not have to be a dirty acronym.

HB 612 does three things from our standpoint:

- 1) The bill closes the "in-kind" loophole for such things as postage stamps, printing, advertising, and payments on a loan or other debt. These items are the direct equivalent of cash. It is ridiculous that they were ever or are now considered "in-kind" contributions. Such contributions from PAC's should be considered to be identical to cash and should count towards the PAC limits.
- 2) The bill also makes "in-kind" services more completely reportable. That is, the services we provide candidates would have to be specified as to time spent with an individual candidate and assigned a dollar value. We aren't wild about this provision, but it seems basically fair.
- 3) This bill -- with the sponsor's amendments -- would also double the limits on the aggregate amount of PAC contributions which a legislative candidate could receive. We do not agree with this provision. We see no justification for such an increase and oppose it.

This bill is supposed to shed some sunshine on campaign finances. I hate to talk about the dark clouds, but they definitely exist.

This bill does nothing to require reporting from **others** who provide consulting services to candidates but do not register as political committees. Trade association directors are out working with candidates in much the same way as MontCEL consultants. We know they are out there doing this work because we see them on the campaign trail. It is unfair to us to require MontCEL to report our services when these groups aren't reporting their's. I wish I could offer an amendment which would deal with the problem, but I don't know how we can accurately police trade association consultants. I would definitely be interested in hearing anyone's ideas about an amendment in this area.

Services are difficult to assign an accurate value. Much advice is never taken. What value does it have?

Unlike money, time is difficult to accurately track. Of course, many professions bill clients based on accounts of time. We would account for time the same way under HB 612. Nonetheless, the Commissioner has little or no way of accurately assessing the veracity of reports of time. Moreover, candidates and PAC's alike will have new accounting to do.

There would still be legal ways "around" the PAC laws. Are you up against the limit for what you can give a particular candidate? Just create a new PAC. Do you not want to report at all? Simply don't register as a PAC.

The final part of the dark cloud is the bane of the 1988 election season: **NEGATIVE CAMPAIGNING!** A political committee -- or anyone for that matter -- can take on the opponent of their chosen candidate without running up against the campaign finance limits. This last year we saw the National Realtors Association make independent "contributions" to Senator Melcher's campaign. Two years prior, we saw the National Taxpayers Union make independent negative radio ads. Is there any doubt that the role of negative campaigning will increase given the outcome of the last presidential election?

Despite these limitations to what Montana's campaign financing laws can accomplish, we would appreciate your support for closing some of the loopholes in the law.

EXHIBIT 14  
DATE 2/17-89  
RE HB 615

**Amendments to House Bill No. 615  
First Reading Copy**

**Requested by Representative Bob Raney  
For the House Committee on State Administration**

**Prepared by Lois Menzies  
February 17, 1989**

1. Page 11, line 3.  
Strike: "and living"

EXHIBIT 15

DATE 2-17-89

HB 700

WITNESS STATEMENT

NAME Brenda Blackman Gruel

BILL NO. 700

ADDRESS 1523 Broadway

WHOM DO YOU REPRESENT? Self

SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

COMMENTS: \_\_\_\_\_

*I am a member of the Disabled American Veterans Ladies Auxiliary and I strongly support the Veterans Preference Act as introduced by Representative Paulorick. This will give veterans, their dependents and especially disabled veterans the dignity they deserve for honorable service to their country.*

*Thanks you.*

*Brenda Blackman Gruel*

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Department of Administration  
Testimony Opposing HB 700

EXHIBIT 16  
DATE 2-17-89  
HB 700

1. The Veteran's and Handicapped Civilian's Preference Act was enacted in December, 1983.
  - a. The current law has been in place for over 5 years. Hiring authorities are accustomed to administering it.
2. A Veteran's Preference bill has been introduced in every session since the special session in 1983.
  - a. Many provisions of HB 700 were introduced in previous sessions and were not adopted.
3. 5 year grandfather clause expired on Dec. 20, 1988.
  - a. Non-disabled vietnam veterans no longer eligible.
  - b. Disabled veterans and newly discharged veterans are.
  - c. An extension would require one simple change.
    - Not an excuse for a total revision of the law.
4. HB 700 changes all the definitions and eligibility provisions for veterans.
  - a. Two different laws for hiring officials to apply.
    - One for Veterans - One for Handicapped.
  - b. Both laws may apply to the same position vacancy.
    - What happens if one candidate has a point preference and another has "substantially equal preference."
  - c. Keep provisions of the two as similar as possible.
5. HB 700: a point preference when numerically scored procedures are used.
  - a. Does not require agencies to use scored procedures.
  - b. This may create a false expectation among veterans who apply for a preference. For many state jobs, scored procedures are not used and no preference would be available.
6. Extension of the preference to other personnel actions besides initial hiring is the biggest problem with this bill.
  - a. The reason for the preference is to assist people who are having difficulty reentering the job market.
  - b. Do not introduce preference into the internal management of public agencies.
  - c. Let employees gain promotions and retention based on their merit.
  - d. Don't require mediocre employees be retained over those who have demonstrated superior performance.
7. Retention is the most litigious area of employment.
  - a. Can lead to costly wrongful discharge cases.
  - b. Section 5, Retention, must be eliminated.
  - c. The definition of "initial hire" must be reinserted.
8. Three options:
  - (1) Vote DO NOT PASS on HB 700.
  - (2) Extend the duration of the preference in the current law and do only that, or
  - (3) Amend the bill:
    - Make the two laws consistent.
    - Remove Section 5, Retention.
    - Reinstate "initial hire."

AMENDMENTS TO HB 700

1. Page 3, line 14  
Following: "to"  
Strike: "qualify for appointment to a position;"  
Insert: "use his employment preference because of his disability;"
  
2. Page 4  
Following: line 1  
Insert: "(5) (a) "Initial hiring" means a personnel action for which applications are solicited from outside the ranks of the current employees of:  
(i) a department, as defined in 2-15-102, for a position within the executive branch;  
(ii) a legislative agency, such as the consumer counsel, environmental quality council, office of the legislative auditor, legislative council, or office of the legislative fiscal analyst, for a position within the legislative branch;  
(iii) a judicial agency, such as the office of supreme court administrator, office of supreme court clerk, state law library, or similar office in a state district court for a position within the judicial branch;  
(iv) a unit of the Montana university system or a vocational-technical center;  
(v) a city or town for a municipal position, including a city or municipal court position;  
(vi) a county for a county position, including a justice's court position; and  
(vii) a school district or community college.  
(b) A personnel action limited to current employees of a specific public entity identified in subsections (a)(i) through (a)(vii) of this subsection (5), current employees in a reduction-in-force pool who have been laid off from a specific public entity identified in subsections (a)(i) through (a)(vii) of this subsection (5), or current participants in a federally authorized employment program is not an initial hiring."  
Renumber: all subsequent sections
  
3. Page 5, line 20  
Following: "procedure,"  
Insert: "in an initial hiring"
  
4. Page 6, line 7  
Following: line 6  
Strike: "received 70 or more percentage points of the total possible points that may be granted in the scored procedure."  
Insert: "holds the minimum qualifications necessary to perform the duties of the position."



5. Page 6, line 12  
Following: line 11  
Insert: "(4) The employment preference provided for in subsection (1) does not apply to a personnel action described in Section 1 (5) or to any other personnel action that is not an initial hiring."
  
6. Page 8, lines 24 through 25  
Strike: section 5 in its entirety  
Renumber: all subsequent sections

EXHIBIT 18  
DATE 2-17-89  
HB 700

1062

ICCW TESTIMONY PRESENTED TO THE  
HOUSE STATE ADMINISTRATION COMMITTEE  
February 17, 1989

HB 700 - EMPLOYMENT PREFERENCE TO  
VETERANS AND HANDICAPPED PERSONS

My name is Jeanne Doney. I represent the Interdepartmental Coordinating Committee for Women, known as ICCW. Our purpose is to identify policies and procedures in state government which directly or indirectly result in discrimination against women. The ICCW was established in 1977 and we have been informed that the Governor will extend the executive order providing for the Committee.

The ICCW opposes HB 700 because the veterans preference provisions that it contains will have the effect of discriminating against women. Because so many more men than women have served in the armed forces, women are disadvantaged by the provisions of the proposed bill. It will result in fewer women being hired and promoted. More women will be terminated from employment during reductions-in-force.

The ICCW opposes HB 700 because the veterans preference provisions go beyond the point of reasonableness and fairness and will result in discrimination against women in employment. However, we are not opposed to the current employment preference extended to veterans and handicapped persons.

Discrimination against women will result largely due to the following provisions in the bill. First, the bill greatly broadens the definitions of "veteran" and "disabled veteran," thereby increasing the number of men who will benefit at the expense of women.

ex #18  
2062

Second, the bill would extend the use of veterans preference to all scored hiring procedures. Again, this is disadvantageous to women at all stages of employment including initial hire and promotion, as well as termination due to reductions-in-force. This absolute preference would often result in less qualified applicants being hired, promoted, or retained at the expense of more qualified women. This goes far beyond the current procedure in which veterans preference is used to break a tie between the most qualified applicants for a job.

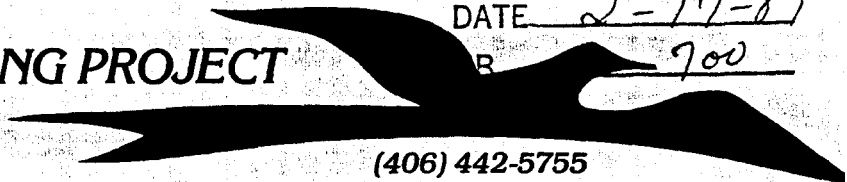
The current procedures are adequate and fair. According to Department of Administration figures, the percentage of veterans in state and local government is nearly identical to the percentage in the private sector.

Women in state government are entitled to an equal chance to serve the State of Montana with our talent and expertise. This bill would prevent us from accomplishing that goal.

The ICCW urges you to not pass this bill.

Thank you.

EXHIBIT 19  
DATE 2-17-89  
R 700



# MONTANA INDEPENDENT LIVING PROJECT

38 South Last Chance Gulch  
Helena, Montana 59601

(406) 442-5755  
Toll Free 1-800-233-0805 (VOICE/TDD)

February 17, 1989

Re: HB 700

I am Tim Harris and I am employed by the Montana Independent Living Project. The Project is opposed to HB 700 as written because it establishes two separate and different preferences, one being much broader in scope and therefore discriminatory. There are specific exclusions in Section 10(3)(b), 10(5)(a), 10(5)(c), and 10(6)(b) which relate to people with disabilities that are not excluded in Section 1(b) which relate to certain military veterans and eligible relatives.

The Project does support the notion of employment preference for persons with disabilities as well as certain military veterans. Accordingly, we support amending existing state law to reestablish a veteran's preference. Any preference given should be indistinguishable from another, with no one group favored over another.

EXHIBIT 20

DATE 2-17-89

HB 700

Legislative testimony

Opposing HB 700

February 17, 1989

142

My name is Kathy Collins, and I am President of the Montana Independent Living Project's Board of Directors, Chairperson of the Montana Independent Living Council, and a teacher at C.R. Anderson Middle School here in Helena. I am here to OPPOSE HB700.

HB 700 presents another effort to exclude disabled civilians from protection under the Preference Act. As with its counterpart HB 38 introduced in the 1987 session, this law creates two separate preference laws: one comprehensive law for veterans and disabled veterans, and another <sup>less comprehensive</sup> for disabled civilians. Hiring statistics prove that the present law is working--more veterans, disabled veterans, and disabled civilians are being employed than ever before. It doesn't seem logical to change something that obviously works as the present law does.

HB 700 unreasonably inflates the number of veterans who qualify for preference, even going so far to include the mothers of veterans but, curiously, not their fathers. This increase in eligible recipients dilutes the true meaning of preference. When so many are qualified, it leaves doubts as to whether anyone isn't.

HB 700 would no longer guarantee equal preference to disabled civilians in employment. I can tell you that as a person who is short-statured, electric wheelchair dependent, hearing impaired, and severely physically disabled, employment has NOT come to me easily. In 1983 when I was applying for a teaching position in the Helena School District, I was protected by the law. My disability, for the first time in my life, gave me an edge in employment. And I can tell you now, six years later and still teaching at the same school, that edge paid off for me and my employer.

Opposing HB 700 cont.  
Kathy Collins  
Ex. # 20  
2012

However, the saddest part of HB 700 to me is the division this proposed bill has caused between disabled veterans and disabled civilians. Where once we worked toward common employment, access, and independent living goals, our movement has been torn apart by a law which favors one disabled group over another.

Barriers for employment exist for both groups. One must withstand the same discrimination as the other. I believe that unequal preference merely creates more barriers within the ~~disabled~~<sup>disability</sup> movement itself. ~~Sally,~~<sup>Unfortunately,</sup> Julius Caesar's strategy of "Divide and conquer," comes through all too clearly in HB 700. And that is why I OPPOSE HB 700.

Thank you.

**MONTANA  
ASSOCIATION OF  
COUNTIES**

EXHIBIT 21  
DATE 2-17-89  
HB 700  
1802 11th Avenue  
Helena, Montana 59601  
(406) 442-5209

February 17, 1989

Rep. Jan Brown, Chairman  
House State Administration Committee

House Bill 700 - Establishing Separate Veterans Preference Law

If the preference laws are not totally repealed in favor of Equal Opportunity Employment and Affirmative Action Plans, then MACo wishes to support the current laws governing preference hiring for veterans and eligible spouses.

In 1983 we worked together with this legislative body to define a fair, workable veterans and handicapped persons preference law. We see no reason to undo all the hard work that was accomplished at that time.

The proposed bill greatly broadens the Veterans Preference laws: it includes a broader definition of veterans and disabled veterans, broadens the eligible relatives to be given preference, includes temporary positions in the affected jobs, puts in place scored testing procedures, includes reductions in force rather than just initial hiring, and removes any time restrictions for application of the preference laws for either veterans or their eligible relatives.

We feel this bill goes too far, and unfairly discriminates against persons who have not had the opportunity serve in the armed forces of the United States.

We ask that you do not approve House Bill 700.

**MACo**

**WomenCARE**HB 700  
P. O. Box 1728, Helena, MT 59624

February 17, 1989

**TESTIMONY OF LYNNETTE STERN OF WomenCARE BEFORE THE HOUSE STATE ADMINISTRATION COMMITTEE IN OPPOSITION TO HOUSE BILL 700 ON VETERAN'S PREFERENCE**

My name is Lynnette Stern, and I have taken personal time to be here today to represent WomenCARE, a group representing Department of Labor and Industry employees. I will speak only to the veteran's preference portion of House Bill 700.

Like House Bill 38 two years ago, HB 700 would treat veterans, as well as women, inequitably and unfairly.

Veterans will have five percentage points added to their scores when applying for a job with a public employer who uses a scoring system. But the unmarried surviving spouse of a veteran will have ten percentage points added to the examination score. Why this disparity? Spouses did not serve in the Armed Forces, and many were not even married at the time their husbands served in the Armed Forces. Why should they get more points than the veteran himself? In fact, why should they get any points at all?

House Bill 700 also gives veteran's preference in retention if the position is not covered by a collective bargaining agreement. But if the veteran is a union member covered by a collective bargaining agreement, he doesn't get preference.



EX #22  
2062

We have some other concerns about this bill as far as how it will be administered. First, the bill extends this preference to temporary and seasonal employees, as well as permanent employees who now receive the preference.

Second, there is a potential loophole in that the percentage points added for veterans applies only when a scored procedure is followed. We will no doubt see many agencies drop such procedures, and we could end up with a variety of scoring and nonscoring procedures in public agencies.

Finally, as state employees and taxpayers, we are concerned about the likelihood that this may be a very expensive bill to the state, and an administrative nightmare to boot. The current veteran's preference system works fine as it is -- let's leave it alone.

I urge you to vote against House Bill 700. Thank you.

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. HJR 28

DATE February 17, 1989

SPONSOR COHEN Stickney

| NAME (please print) | REPRESENTING      | SUPPORT                             | OPPOSE |
|---------------------|-------------------|-------------------------------------|--------|
| Nancy Griffin       | Montana F's Lobby | <input checked="" type="checkbox"/> |        |
| Sam Battist         | Self              | <input checked="" type="checkbox"/> |        |
| Margaret Davis      | LIN VMT           | <input checked="" type="checkbox"/> |        |
| Dea Judge           | MT STATE AFL-CIO  | <input checked="" type="checkbox"/> |        |
| Jeanne J. Doney     | I CCW             | <input checked="" type="checkbox"/> |        |
| B Wood              | AAUW              | <input checked="" type="checkbox"/> |        |
| Diane Sand          | MT. Women Lobby   | <input checked="" type="checkbox"/> |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |
|                     |                   |                                     |        |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.  
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER  
STATE ADMINISTRATION COMMITTEE

---

BILL NO. HB 730

DATE February 17, 1989

SPONSOR REP. SPAETH

| NAME (please print) | REPRESENTING             | SUPPORT | OPPOSE |
|---------------------|--------------------------|---------|--------|
| Betty T. Lund       | Ravalli County           | ✓       |        |
| Jane Bartlett       | J&L Co. Clerk & Recorder | X       |        |
| Judy Daggitt        | Producers Club of Me     | X       |        |
| North Jacobsen      | Sec. of State            | ✓       |        |
| Don Judge           | MT STATE AFL-CIO         | X       |        |
| Neil M. Stultz      | MT Democratic Party      | X       |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |
|                     |                          |         |        |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.  
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. HB 724

DATE February 17, 1989

SPONSOR REP. COHEN

| NAME (please print) | REPRESENTING                 | SUPPORT | OPPOSE |
|---------------------|------------------------------|---------|--------|
| Betty T. Lurd       | Ravalli County               |         | X      |
| Gene Bartlett       | Lewis & Clark Co. Wash & Rec |         | X      |
| Judy Daggitt        | Spokane Valley Cl & Rec      |         | X      |
| Joseph Moore        | Rainbow Coalition            | X       |        |
| B. PEARSON          | Common Cause                 | X       |        |
| Tom Wilson          | SELF                         | ✓       |        |
| Don Judge           | MT STATE AFL-CIO             | X       |        |
| Margaret Davis      | LWV MT                       | X       |        |
| Kate Brainer Ames   | MWPP                         | X       |        |
| Mike Crate          | ASSOCIATED STUDENTS OF UM    | X       |        |
| Kristin Dechamps    | ASUM                         | X       |        |
| Leo BARNETT         | DRIVER License               |         |        |
|                     |                              |         |        |
|                     |                              |         |        |
|                     |                              |         |        |
|                     |                              |         |        |
|                     |                              |         |        |
|                     |                              |         |        |
|                     |                              |         |        |
|                     |                              |         |        |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER  
STATE ADMINISTRATION COMMITTEE

BILL NO. HJR 27

DATE February 17, 1989

SPONSOR REP. COHEN

| NAME (please print)    | REPRESENTING                  | SUPPORT  | OPPOSE |
|------------------------|-------------------------------|----------|--------|
| <i>Jue Bartlett</i>    | <i>Self</i>                   | <i>X</i> |        |
| <i>Mignon Waterman</i> | <i>Mt. Assde. of Churches</i> | <i>X</i> |        |
| <i>John O'Brien</i>    | <i>mt Catholic Cong</i>       | <i>X</i> |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |
|                        |                               |          |        |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER  
STATE ADMINISTRATION COMMITTEE

BILL NO. HB 612

DATE February 17, 1989

SPONSOR THOMAS

| NAME (please print)    | REPRESENTING                             | SUPPORT                             | OPPOSE                              |
|------------------------|--|-------------------------------------|-------------------------------------|
| <i>Margaret Davis</i>  | <i>LWV/NAACP</i>                         | <input checked="" type="checkbox"/> |                                     |
| <i>Dolores Colbung</i> | <i>Commission of Political Practices</i> | <input checked="" type="checkbox"/> |                                     |
| <i>P.B. Peterson</i>   | <i>Common Cause</i>                      | <input checked="" type="checkbox"/> |                                     |
| <i>Chff. Justice</i>   | <i>Self</i>                              | <input checked="" type="checkbox"/> |                                     |
| <i>Don Reed</i>        | <i>Mont. CFC</i>                         | <input checked="" type="checkbox"/> |                                     |
| <i>Gail M. Stutz</i>   | <i>MT. Democratic Party</i>              |                                     | <input checked="" type="checkbox"/> |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |
|                        |  |                                     |                                     |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.  
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. HB 615

DATE February 17, 1989

SPONSOR REP. RANEY

| NAME (please print) | REPRESENTING                        | SUPPORT | OPPOSE |
|---------------------|-------------------------------------|---------|--------|
| Jim Mockler         | MT. Soc. of Assoc. Eyers            |         | ✓      |
| Ken Williams        | Entech & self                       |         | ✓      |
| Mike Pichette       | MT Power                            |         | ✓      |
| Beverly Ann         | MACO                                | ✓       |        |
| MS DAVIS            | UNWMT                               | X       |        |
| GENE PHILLIPS       | SELF                                |         | X      |
| Dolores Colburg     | Commissioner of Political Practices | ✓       |        |
| I.B. PEARSON        | Common Cause                        | ✓       |        |
| JOHN LAHR           | SELF                                |         | X      |
| Janelle Fallan      | MT Petroleum                        |         | ✓      |
| James Curdson       | Self                                |         | ✓      |
| John Albe           | MDH BC/BS                           |         | ✓      |
| Alvin Jards         | MT Children's Health                | ✓       |        |
| Arnold Ude          | CE/INEX                             |         | ✓      |
| Bob Quinn           | SELF                                |         | ✓      |
| John M. ...         | US West                             |         | ✓      |
| Gene Vignon         | MDH RESOURCES                       |         | ✓      |
|                     |                                     |         |        |
|                     |                                     |         |        |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. HB 700

DATE February 17, 1989

SPONSOR PAVLOVICH

| NAME (please print)          | REPRESENTING   | SUPPORT | OPPOSE |
|------------------------------|--|---------|--------|
| JEANNE DONEY                 | ICCW   |         | X      |
| JAMES H. REHBEIN             | DEPT. COMMANDER<br>DISABLED AMERICAN VETERANS                | X       |        |
| Kathy D. Collins             | MT. Indep. Living<br>Council                                 |         | X      |
| JUDY HARRIS                  | Governors Comm for Employment<br>of People with Disabilities |         | X      |
| TIM HARRIS                   | MT. IND. LIVING PROJECT                                      |         | X      |
| Severly Atson                | mt. asso of Co.'s  |         | X      |
| Iue Bartlett                 | Self   |         | K      |
| Bob Durkge                   | VFW  | X       |        |
| John M. Deubender            | DAV Dept Leg Dir   | ✓       |        |
| <del>John M. Deubender</del> | Veteran  | ✓       |        |
| Mark Cross                   | Dept. of Admin   |         | ✓      |
| Jerry Longfellow             | Dept of MT. V.F.W.   | X       |        |
| Paul A. Gratzl               | 53/F   | X       |        |
| Brenda J. Grud               | Self   | X       |        |
| Lynette Stern                | Dept of Labor<br>Women Care - + Industry                     |         | X      |
| Bamb Maleusek                | Dept of Labor & Ind  | X       | X      |
| John F. Sloan                | MOPH DAV   | X       |        |
| JOE BRAND                    | Self   | X       |        |
| DALE PAWLOWSKI               | Mont. Board Vet. Affs.                                       | X       |        |
| JAMES T. MULAR               | TRANSP. COMM. UNION  | X       |        |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

Dick Baumgardner  
DAV  
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY. X



VISITORS' REGISTER

COMMITTEE \_\_\_\_\_

BILL NO. 700

DATE \_\_\_\_\_

SPONSOR \_\_\_\_\_

| NAME (please print) | RESIDENCE                             | SUPPORT | OPPOSE |
|---------------------|---------------------------------------|---------|--------|
| Rich Van Oken       | Missoula                              | ✓       |        |
| Carl Knutson        | Clayton                               | ✓       |        |
| Raymond West        | Haure                                 | ✓       |        |
| Chris Gallen        | BUTTE                                 | ✓       |        |
| Wesley S. Suggs     | St. Paul                              | ✓       |        |
| John Forster        | Anaconda                              | ✓       |        |
| Steve Johnson       | Billings                              | ✓       |        |
| Dan Antonietti      | USDL-VETS                             | ✓       |        |
| J. R. A. Schram     | OCHS                                  |         | ✓      |
| Dal Manser          | American Legion                       | X       |        |
| George Foster       | United Veterans Committee             | X       |        |
| Neil Shepherd       | V & A                                 | X       |        |
| WALT WHEELING       | Helena - <sup>EX-POW'S</sup> A.D.B.C. | X       |        |
| Rich Brown          | MT BRD VETS AFFAIRS                   | X       |        |
| Mike Workman        | Eureka, MT                            | X       |        |
| Laurie Ekanger      | Dept. of Admin                        |         | X      |
|                     |                                       |         |        |
|                     |                                       |         |        |

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89

BILL NO. HB 724

NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           |     | ✓   |
| Bud Campbell        | ✓   |     |
| Vicki Cocchiarella  |     | ✓   |
| Duane Compton       | ✓   |     |
| Ervin Davis         | ✓   |     |
| Roger DeBruycker    | ✓   |     |
| Floyd "Bob" Gervais |     | ✓   |
| Harriet Hayne       | ✓   |     |
| Janet Moore         |     | ✓   |
| Richard Nelson      | ✓   |     |
| Helen O'Connell     | ✓   |     |
| John Phillips       | ✓   |     |
| Rande Roth          | ✓   |     |
| Angela Russell      |     | ✓   |
| Wilbur Spring, Jr.  | ✓   |     |
| Carolyn Squires     |     | ✓   |
| Vernon Westlake     | ✓   | ✓   |
| Timothy Whalen      |     | ✓   |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

11      7

Jude Burzough  
Secretary

Jan Brown  
Chairman

MOTION:

to take

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89 BILL NO. HJR 27 NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           | ✓   |     |
| Bud Campbell        |     | ✓   |
| Vicki Cocchiarella  | ✓   |     |
| Duane Compton       |     | ✓   |
| Ervin Davis         | ✓   |     |
| Roger DeBruycker    |     | ✓   |
| Floyd "Bob" Gervais | ✓   |     |
| Harriet Hayne       |     | ✓   |
| Janet Moore         | ✓   |     |
| Richard Nelson      |     | ✓   |
| Helen O'Connell     |     | ✓   |
| John Phillips       |     | ✓   |
| Rande Roth          |     | ✓   |
| Angela Russell      | ✓   |     |
| Wilbur Spring, Jr.  |     | ✓   |
| Carolyn Squires     | ✓   |     |
| Vernon Westlake     |     | ✓   |
| Timothy Whalen      | ✓   |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

8      10

Judy Burgzuff  
Secretary

Jan Brown  
Chairman

MOTION:

De Pass

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89

BILL NO. AB612

NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           | ✓   |     |
| Bud Campbell        |     | ✓   |
| Vicki Cocchiarella  | ✓   |     |
| Duane Compton       |     | ✓   |
| Ervin Davis         | ✓   |     |
| Roger DeBruycker    |     | ✓   |
| Floyd "Bob" Gervais |     | ✓   |
| Harriet Hayne       |     | ✓   |
| Janet Moore         |     | ✓   |
| Richard Nelson      |     | ✓   |
| Helen O'Connell     |     | ✓   |
| John Phillips       |     | ✓   |
| Rande Roth          |     | ✓   |
| Angela Russell      | ✓   |     |
| Wilbur Spring, Jr.  |     | ✓   |
| Carolyn Squires     | ✓   |     |
| Vernon Westlake     |     | ✓   |
| Timothy Whalen      | ✓   |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

6      12

Judy Bergquist  
Secretary

Jan Brown  
Chairman

MOTION: Comment to HR of Dep. Lewis.

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89 BILL NO. HB 612 NUMBER 2

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           | ✓   |     |
| Bud Campbell        | ✓   |     |
| Vicki Cocchiarella  | ✓   |     |
| Duane Compton       | ✓   |     |
| Ervin Davis         | ✓   |     |
| Roger DeBruycker    | ✓   |     |
| Floyd "Bob" Gervais | ✓   |     |
| Harriet Hayne       | ✓   |     |
| Janet Moore         | ✓   |     |
| Richard Nelson      | ✓   |     |
| Helen O'Connell     | ✓   |     |
| John Phillips       | ✓   |     |
| Rande Roth          |     | ✓   |
| Angela Russell      | ✓   |     |
| Wilbur Spring, Jr.  |     | ✓   |
| Carolyn Squires     | ✓   |     |
| Vernon Westlake     | ✓   |     |
| Timothy Whalen      | ✓   |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

16 2

Judy Burgess  
Secretary

Jan Brown  
Chairman

MOTION: Table HB 612

---



---



---



---



---

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89

BILL NO. HB 615

NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           |     | ✓   |
| Bud Campbell        | ✓   |     |
| Vicki Cocchiarella  |     | ✓   |
| Duane Compton       | ✓   |     |
| Ervin Davis         |     | ✓   |
| Roger DeBruycker    | ✓   |     |
| Floyd "Bob" Gervais |     | ✓   |
| Harriet Hayne       | ✓   |     |
| Janet Moore         | ✓   | W   |
| Richard Nelson      | ✓   |     |
| Helen O'Connell     | ✓   |     |
| John Phillips       | ✓   |     |
| Rande Roth          | ✓   |     |
| Angela Russell      |     | ✓   |
| Wilbur Spring, Jr.  | ✓   |     |
| Carolyn Squires     |     | ✓   |
| Vernon Westlake     | ✓   |     |
| Timothy Whalen      |     | ✓   |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

11 to 7

Judy Burzgraff  
Secretary

Jan Brown  
Chairman

MOTION: table as amended

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89

BILL NO. HB 700

NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           |     | ✓   |
| Bud Campbell        | ✓   |     |
| Vicki Cocchiarella  | ✓   |     |
| Duane Compton       | ✓   |     |
| Ervin Davis         | ✓   |     |
| Roger DeBruycker    | ✓   |     |
| Floyd "Bob" Gervais | ✓   |     |
| Harriet Hayne       | ✓   |     |
| Janet Moore         | ✓   |     |
| Richard Nelson      |     | ✓   |
| Helen O'Connell     | ✓   |     |
| John Phillips       | ✓   |     |
| Rande Roth          | ✓   |     |
| Angela Russell      |     | ✓   |
| Wilbur Spring, Jr.  | ✓   |     |
| Carolyn Squires     | ✓   |     |
| Vernon Westlake     | ✓   |     |
| Timothy Whalen      |     | ✓   |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

14      4

Judy Burzquez  
Secretary

Jan Brown  
Chairman

MOTION: As Passed

---



---



---



---



---

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89 BILL NO. HB 660 NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           | ✓   |     |
| Helen O'Connell     |     | ✓   |
| Vicki Cocchiarella  | ✓   |     |
| Ervin Davis         | ✓   |     |
| Floyd "Bob" Gervais | ✓   |     |
| Janet Moore         | ✓   |     |
| Angela Russell      | ✓   |     |
| Carolyn Squires     | ✓   |     |
| Vernon Westlake     |     | ✓   |
| Timothy Whalen      | ✓   |     |
| Bud Campbell        |     | ✓   |
| Duane Compton       |     | ✓   |
| Roger DeBruycker    | ✓   |     |
| Harriet Hayne       |     | ✓   |
| Richard Nelson      |     | ✓   |
| John Phillips       |     | ✓   |
| Rande Roth          |     | ✓   |
| Wilbur Spring, Jr.  | ✓   |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

10

8

Judy Burgzoff  
Secretary

Jan Brown  
Chairman

MOTION: As Pass.

---



---



---



---



---



ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89 BILL NO. HB 599 NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           | ✓   |     |
| Helen O'Connell     | ✓   |     |
| Vicki Cocchiarella  | ✓   |     |
| Ervin Davis         | ✓   |     |
| Floyd "Bob" Gervais | ✓   |     |
| Janet Moore         | ✓   |     |
| Angela Russell      | ✓   |     |
| Carolyn Squires     | ✓   |     |
| Vernon Westlake     |     | ✓   |
| Timothy Whalen      | ✓   |     |
| Bud Campbell        |     | ✓   |
| Duane Compton       |     | ✓   |
| Roger DeBruycker    |     | ✓   |
| Harriet Hayne       |     | ✓   |
| Richard Nelson      |     | ✓   |
| John Phillips       |     | ✓   |
| Rande Roth          |     | ✓   |
| Wilbur Spring, Jr.  |     | ✓   |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

9      9

Judith Berggraff  
Secretary

Jan Brown  
Chairman

MOTION: Remove from the table HB 599.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 2-17-89 BILL NO. HB 78 NUMBER 1

| NAME                | AYE | NAY |
|---------------------|-----|-----|
| Jan Brown           |     | ✓   |
| Helen O'Connell     |     | ✓   |
| Vicki Cocchiarella  |     | ✓   |
| Ervin Davis         | ✓   |     |
| Floyd "Bob" Gervais |     | ✓   |
| Janet Moore         |     | ✓   |
| Angela Russell      |     | ✓   |
| Carolyn Squires     |     | ✓   |
| Vernon Westlake     |     | ✓   |
| Timothy Whalen      |     | ✓   |
| Bud Campbell        | ✓   |     |
| Duane Compton       | ✓   |     |
| Roger DeBruycker    | ✓   |     |
| Harriet Hayne       | ✓   |     |
| Richard Nelson      |     | ✓   |
| John Phillips       | ✓   |     |
| Rande Roth          | ✓   |     |
| Wilbur Spring, Jr.  | ✓   |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |
|                     |     |     |

TALLY

8      10

Judy Burggraft  
Secretary

Jan Brown  
Chairman

MOTION: By Davis motion to untable the bill

---



---



---



---



---